

Hastings

5

c/s

PROCEEDINGS

AT A

GENERAL COURT, &c.

151-1

PROCEEDINGS

GENERAL COURT, 80

East India Company
P R O C E E D I N G S

A T A

G E N E R A L C O U R T

O F

P R O P R I E T O R S

O F

E A S T - I N D I A S T O C K,

H E L D A T T H E

I N D I A - H O U S E,

O N

F R I D A Y, N O V E M B E R 7, 1783,

R E L A T I V E T O T H E

Hon. W A R R E N H A S T I N G S,

G O V E R N O R G E N E R A L O F B E N G A L.

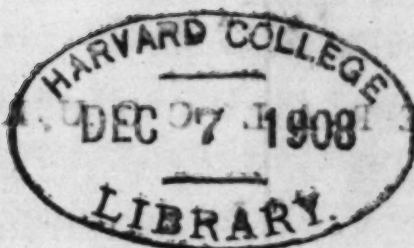
L O N D O N:

Printed for J. DEBRET, opposite BURLINGTON-
HOUSE, PICCADILLY.

M.D.CC.LXXXIII.

Inde 7/5/1

P R O C E E D I N G S



PROPERTY OF

Carl E. Bacon

of Boston

E A S T - I N D I A - H O U S E

PRINTED AT THE

I N D I A - H O U S E

ON

FRIDAY, NOVEMBER 7, 1908

RELATIVE TO THE

Hon. WARREN HASTINGS

GOVERNOR GENERAL OF INDIA

L O N D O N :

Printed for J. L. B. B. T. by the London Printing Co.

Printed by the London Printing Co.

Printed by the London Printing Co.

INTRODUCTION.

IN order to elucidate the following important debate, we wish to bring to the recollection of the public, the following circumstances :

On the 28th of May, 1782, the late Lord Advocate of Scotland proposed a resolution in the House of Commons, " That it was the duty of the Court of Directors to recal Mr. Hastings from the Government of Bengal."

On the 18th of June following, the Court of Proprietors resolved, that the Directors were not to carry into effect any resolution they might come to for the removal of Mr. Hastings, without laying it before a General Court.

On the 23d of October, 1782, after violent debates at the India House, thirteen Directors voted for the removal of Mr. Hastings — ten Directors opposed the measure, and seven of these gentlemen protested against it in the strongest manner.

On the 24th, this resolution was laid before a General Court, when it was fully and ably debated, and the following motion was made by Governor Johnstone, and seconded by Samuel Smith, jun. Esq. member for Ilchester.

That it appears to this court, from incontestable evidence drawn from the records of the Com-

Company, and supported by the unanimous opinion of the House of Commons, that the war in which we are now engaged with the Marattas, "was evidently founded on the sentiments of the Court of Directors, conveying demands on the Maratta administration greatly exceeding the conditions of the treaty of Poorunder; which sentiments of the Court of Directors opened the first design of sending a detachment from Bengal to the Malabar coast;" and that consequently it would be the height of injustice to lay the blame of that war, or the evils which have flowed from it, upon Mr. Hastings, when it appears, "that the dissatisfaction of the Court of Directors expressed at the treaty of Poorunder, in their letters to Bengal of the 5th of February, and to Bombay of the 16th of April, 1777, gave the strongest encouragement to both presidencies, to seize the slightest pretence of provocation from the ministers of the Maratta states, to renew their engagements with Ragobah." Neither have the measures adopted by Mr. Hastings, in consequence of such instructions, ever received the slightest censure from the said Court of Directors; in consideration whereof, it is now recommended to the Court of Directors to rescind their late resolution respecting the removal of Warren Hastings, Esq. Governor General of Bengal;

Bengal; more especially as it appears to this Court that, according to the last official dispatches from Bengal, dated the 8th April, 1782, the prospect of peace with the Marattas was then propitious, because it seemed to be wished for by all the Maratta states; because hostilities with them had ceased for many months, and that a peace had actually been concluded with Mahdajee Sindia, one of the principal chiefs of that confederacy; and farther, that the Government General of Bengal were using every means in their power to effect a general pacification; and that the conduct of the said Government General, tending to produce a general pacification, or to unite and support, by powerful resources, a general confederacy of the country powers, to defeat the combination of Hyder Ally and the French, (supposing the said Hyder Ally shall not accept of the reasonable terms of accommodation which have been offered to him in consequence of his proposals for peace) merits the warmest approbation of this Court; and that therefore it would be evidently injurious to the interests of the Company and the nation to remove any of those principal servants of the Company, now discharging their duty with such uncommon exertions, ability, and unanimity, or to shake the authority reposed in them by the legislature and the Company,

pany, at a period so critical, when the prosperity of the British interests in India will depend, in a great measure, on the confidence which the native princes of the country may place in the Government General of Bengal."

Several Gentlemen who were present expressed a wish that this motion should be determined by a ballot, and the friends of Mr. Hastings being very desirous to take the sense of the East-India Company upon so important a question, in the fullest and the fairest manner, very readily acquiesced, and some of them signed the requisition for the ballot. On the 31st of October the ballot was taken, and the numbers stood as follow:

For the question	—	—	428
------------------	---	---	-----

Against it	—	—	75
------------	---	---	----

Majority in favour of Mr. Hastings			353
------------------------------------	--	--	-----

This was the last proceeding in 1782, relative to Mr. Hastings. Nothing was done in Parliament; and in consequence of the intelligence received from Bengal by the Suprize Packet, Governor Johnstone and eight Proprietors addressed a letter to the Court of Directors on the 29th of October, desiring that a General Court might be called to consider the late advices from Bengal. It was fixed by the Directors to meet on Friday the 7th instant.

PROCEEDINGS

AT A

GENERAL COURT, &c.

At a numerous and respectable Meeting of the Proprietors of East-India Stock, held at their House in Leadenhall-Street, on Friday, November 7, 1783; among many other distinguished Characters present were, his Grace the Archbishop of York, General Oglethorpe, the Honourable Mr. Greville, &c. &c. &c.

AFTER some private business of little importance, Sir Henry Fletcher informed the Court of Proprietors of the reason of their being summoned — It was to consider the late advices from Bengal, in consequence of a letter from nine proprietors — but before they should enter on the subject for which they were assembled, he begged leave to propose that the petition to the House of Commons, presented

B

last

last session, in consequence of which they had received certain aid, but not all they required, might be renewed. He stated the circumstance to which the petition particularly alluded. They had prayed for liberty to borrow 1,500,000*l*. Of this sum they had been suffered to borrow 500,000*l*. and temporary aid was given them for the 1,000,000*l*. but that aid they wished to be permanent — and the specific amount of the relief prayed for would make the only difference between the present and the last petition.

This business being finished, and the letter read, Governor *Johnstone* addressed the Chairman —

SIR HENRY FLETCHER,

The letter which has been read for calling the General Court, has already informed the proprietors of the purpose for which they are assembled. Those advices from the East Indies which they are to take under consideration, have been published in the newspapers, and extracts of all the material intelligence they convey have lain open for the perusal of the proprietors, as appears by the public advertisement for calling the Court; otherwise in point of form, I should begin by reading the advices to which I mean to refer, before I propose the motion I intend to submit to the consideration of the Court: but as the reading of voluminous public dispatches is often disgusting to such assemblies, when the matter under discussion is of public notoriety, and where all who are anxious to understand the particulars have had an opportunity

nity so to do, I shall therefore adopt another mode of proceeding, which is, by giving the reasons for the motion I shall propose before I sit down; and then referring to the particular articles in the dispatches on which the motion is grounded, that they may be read by the clerk.

The task I have imposed upon myself is, indeed, attended with much difficulty, not from want of sufficient and superabundant matter to vindicate the motion, with which I mean to conclude, giving thanks to Mr. Hastings and his council, for the exertions they have made in the public cause; but from that disposition of party and faction in the struggles for power, which has distracted this community in every part: to which I impute our late misfortunes, much more than to the exertions of our enemies. This spirit has gone forth to such a rancorous degree that it is hardly possible, in the opinion of some, to give praise to one man, without throwing censure on others: but this censure is far from being my intention; it is rather my wish to heal the dissensions that have prevailed, and to correct that spirit so detrimental to the community, than by any irritation to inflame it. I am not dexterous in my choice of words; but, once for all, I declare this to be my meaning. Nevertheless, if there are men of such malignity of disposition, that they cannot view the great actions of men with whom they have been connected in political enmity, without considering it as a reproach to themselves, I freely acknowledge I

would rather incur the enmity of such men, than withhold, as far as I am able to enforce it, that tribute of applause which is due to those who have greatly served their country. It has been my lot, Sir, in the struggles which this country has undergone against her numerous enemies, to attach myself chiefly to those characters who were willing boldly to meet the danger, not tamely to submit to the indignities of our enemies; nor, by croaking despondency in the hour of distress, when nothing but animated exertion could save us, unman themselves, and dispirit their countrymen. It has been the fortune, or misfortune of other men in this community, to employ themselves in curious investigation to diminish the lustre of those characters; but, thank God! just as the effects of their laborious researches were likely to burst on my friends, by the news of some great and glorious action, achieved by those persons, arriving, their reputation has been saved, and the men who would have blasted their fame have been obliged to join in the public applause. Such was the case of Lord Rodney, who, when absent in the service of his country, had a committee of the House of Commons sitting in severe scrutiny on his actions at St. Eustatius. The report was made by the same right honourable gentleman who has favoured the world with the Ninth Report, and other papers, criminating Mr. Hastings — nay, the day of his condemnation was fixed, and his recalc had already taken place, when the accounts of the glorious 12th of April came to raise the spirit of his friends,

friends, and to abash the malignity of his enemies. In like manner, after the inquisitorial proceedings of the Select Committee had been given to the House of Commons, and industriously circulated to the public, to prejudice the character of Mr. Hastings—after he had been represented in a great national assembly as a public robber, and most notorious oppressor—after his enemies had held out the hopes he had given of saving our possessions in the East Indies as so many scenes in a series of delusions, there comes, in a moment, as critical in his favour as the victory of the 12th of April was in that of Lord Rodney—an account of the Maratta treaty, settling and commanding the peace of India, the retreat of Tippoo Saib from the Carnatic, the taking of the province of Bednore, and the surrender of Mangalore; which leaves no longer any doubt of the triumph of our arms, and the stability of our possessions in the East. The conduct of Mr. Hastings and Lord Rodney, may be compared to that of Sylla, when prosecuting the war against Mithridates. Being informed by one of the officers of the proceedings of Marius, he was asked how he could remain in Asia while such persecutions were carrying on against him at Rome? Sylla made answer, “It is by this I am making the most cruel war against Marius. I will first conquer the enemies of the Republic, and then return to Rome and punish Marius.” Upon such an occasion as the present, I would recommend to those who have been the professed enemies of Mr. Hastings, to follow

the exact line they did in the case of my Lord Rodney. They were the first to run to the senate, and the first to propose public thanks upon so great an event: and the orator, upon whose representations they had chiefly relied for their former opinion, declared that he could no longer look through such a blaze of glory at the faults he had discovered, and was ready to cover them with the ensigns which he had taken from the enemy. In like manner, admitting for the sake of obtaining unanimity in the motion I shall make, that Mr. Hastings has had some faults in his conduct, yet I desire that those who were formerly disposed to view him in that light will now cover those errors with the Maratta treaty, with the standards of Tippoo Saib, with the ensigns of Bednore and Mangalore. In the same spirit I would advise those who are so charmed with the wit of the Ninth Report of the Select Committee, to read, as an antidote, the history of the transactions I have enumerated. During the last recess of parliament, I have often heard it asked, have you read the Ninth Report? If ever that question is put again, I advise the friends of Mr. Hastings to make no other answer than this: have you read the Maratta Treaty? In great national affairs, like this under our consideration, upon which the fate of an empire depends, it is in vain to call upon me to look at little specks in the conduct of such men; they may be true or false; I will disdain to consider them at such a moment, when my heart should be filled with the effusions of joy and gratitude.

tude. It was left for the *Examiner* and his associates, to find out that the Duke of Marlborough had given a contract to this or that man improperly, but who, on receiving the account of the battle of Blenheim or Ramillies, would have stopped the tribute of his praise and admiration, upon so trifling a tale. The Court of Directors should be particularly cautious, not to admit any prejudice in their minds from the reports of the Select Committee. It is well known, that as strong reports as could be framed, were brought down by that respectable Committee against two of your own body; * but when the accusation came to be sifted, it appeared so frivolous and ill founded, that the framers of the report were ashamed to bring the issue to a public discussion and decision. If this has happened respecting men on the spot, how much more may we suspect the labours of that disinterested body, respecting a man at the distance of four thousand leagues? But, I should be sorry to be understood, as meaning to insinuate that actions, however great in themselves should cover any injustice to individuals. These are subjects of proper discussion for the courts of justice; or if Mr. Hastings, in the pressing exigency of his situation, has exacted more men or money from any person, than equity or sound policy will warrant in the defence of the State; let the Court of Directors order compensation when the peace is established. All I contend for at present is, that the situation was critical, the assistance requisite; and if there appears some fault in the mode of enforcing the payments, it was an excess of zeal in

* Mr. Sullivan and Sir William James.

your

your service, and not for his own emolument; therefore it should not stop the current of your approbation on this day.

But, Sir, the General Court of Proprietors are more particularly called upon to express their sentiments, upon the late advices from the East Indies; they have been vilified, traduced, and abused; nay, all their privileges, secured by sacred charters, threatened to be taken away by that assembly, which ought to be the guardians and protectors of public rights, because they had offered to interfere against a torrent of intemperate proceedings, and support this very man in his situation, who has now fulfilled their expectations, and so completely vindicated their character and his own. Though I can by no means recommend the spirit of exultation, where I wish to heal the wounds of discord, yet I cannot, on the other hand, assume that modesty, which would deny bringing those transactions to the recollection of the public. If this court had not interposed, first by the resolution in June, and afterwards by that in October, 1782, I believe there is none acquainted with the affairs of the East, who will not allow, that instead of rejoicing for public events, we should have had cause to mourn over misfortunes, worse than the loss of America: even you, Sir, who was then of opinion, that the Maratta treaty was a delusion, and that the aspect of our affairs, as we had painted them, in the motion for rescinding that resolution of the Court of Directors, which had dismissed

missed Mr. Hastings, will now acknowledge it has been attended with the best effects. Since, then, all our prognostics have proved true, since the course of events has exceeded the expectations of the most sanguine, it would be unworthy our characters not to claim the merit of our conduct under such circumstances.

That the subsequent part of my discourse may be better understood, I shall here read the motion with which I intend to conclude, and when the three resolutions are taken together, I shall not consider them as that part of my conduct in life, which gives me the least satisfaction, in having had the honour to propose them.*

As far as I have been able to catch the pulse of the public, I understand there will be little opposition to any part of the motion I have read, except the conclusion. Government are very apt, when they chuse, to interfere in an extraordinary manner in the affairs of the East-India Company, to hold a language in which I do not entirely disagree with them; that the affairs of the East are now of such magnitude and consequence to the state, that every man in high station in that country may be considered as the immediate servant of the public; but I observe this language is more frequently assumed when they are pleased to throw censure, than to communicate praise. The thanks of the House of Commons have been given

* Here the motion inserted at the end of the speech was read.

to Sir Eyre Coote, in my opinion most deservedly. The thanks of that House have likewise been given to Sir Edward Hughes, with equal justice; but great and illustrious as these characters are, noble as their exertions must ever appear, will any one, who understands the transactions of the East Indies, say they have performed greater public services than Mr. Hastings? Sir Eyre Coote will not say so; for, on the contrary, he has told you, the saving of the Carnatic has been owing to the extraordinary exertions of the Governor General. Sir Edward Hughes will not say so, who, with a peculiar modesty, forgetting his own merit, has dwelt with pleasure and admiration on that of his friend, Governor Hastings. If those officers, acting on the spot, afford us this testimony of approbation, and the conclusion of the scene vindicates their opinion, shall we believe them, or the judgment of a Committee who have not been farther than the avenues of St. James's? Neither do I see how it is possible with just reasoning to assent to the first part, and deny the conclusion. It may be said, however, what motives have this Committee to mislead the public? It does not become me to enter into the motives of men; the struggles for power are often productive of the worst mischiefs to the public, and the most cruel injustice to individuals. It is possible also that those gentlemen feel none of the resentments they would endeavour to raise in our minds. Men, moving in the higher orbits, seldom enter the circle of inveteracy; that is left to the inferior orders of men, if they are weak enough to be drawn into the eddy; but what we have lately
seen

seen may teach us to avoid this situation. Perhaps if Mr. Hastings had quitted his office of Governor-General of Bengal, we should have heard no more complaints against him; he might have remained as quiet as any other displaced minister, nay, I should not be surprized if his greatest enemy, succeeding to his office, should, in a short time, pronounce his eulogium, and that all our squabbles at this end of the town should end in as pleasing a coalition, as that which has appeared at St. Stephen's. If I am pressed still farther to explain the motives of the Committee, I should say, that I consider the whole as the labours of the principal member of that Committee, and that I apprehend the enmity he has taken up against Mr. Hastings, arises, as I have said in another place, from the tenderness of his mind, and his extreme humanity, which does not permit him to view, with his usual judgement, those scenes of horror which are incident to war. There is hardly a campaign under the mildest officer that does not exhibit scenes, which when painted by a lively imagination, are not sufficient to make us sick of existence; but when those scenes are examined, with the causes that produced them, and the effects that followed, and the necessity which impressed, as the best means to attain the end, the hatred against the person who directed the execution is removed. When the King of Prussia burnt the beautiful suburbs of Dresden, when Sylla ordered his troops to set fire to Rome to drive Marius from the Capitol; in considering only the horrors and devastation which ensued, our minds are apt to revolt

against the man who could issue such orders; and, accordingly, there are many philosophic writings which have condemned those acts, while other writers on the art of war have praised the magnanimity and promptitude of spirit which directed them. In the same way I apprehend the story of Cheyt Sing has been misunderstood, by not considering the whole of the transaction, as necessary to the state of the war, and the preservation of our possessions in the East; and when we come to reflect that this is the only quarter of the globe in which the British arms have sustained their lustre without losing territory, we should be more cautious in imputing blame to the Governor General, who has preserved them; or in withholding our praise for his having so done;—if I look to North America, the prospect is too melancholy; if I cast my eye to the West Indies, a number of islands appear under the flags of our enemies;—if I go to the Mediterranean, I see Minorca lost: it is in the East alone we have sustained the shock with credit; it will hardly be said we have resisted the power of our enemies by the wisdom of our councils at home: supposing they had shewn sufficient sagacity in that respect near their immediate controul, the distance of our possessions in the East Indies renders the direction of the resources of that country impossible. It is therefore owing to the government existing on the spot. Under such circumstances, if it were only to prevent the invidious parallel, I should hope his Majesty's Ministers would not withhold their tribute of thanks upon such an occasion.—Whoever will trace the progress of the negociation with the Marattas

rattas from the beginning to the conclusion, the means applied to bring about that event, will find sufficient cause to excite his admiration, and to extinguish any malevolence he may entertain against Mr. Hastings.—There is a degree of spirit and perspicuity through the whole of that business, that makes me, while I rejoice it was under the management of such able hands, wish for a moment the same judicious, active councils could have been communicated to other parts that stood in equal need of them. To trouble the Court with a long citation is always disagreeable to popular assemblies; nevertheless, there is one letter, although of some length, which I cannot refrain from reading, as conveying an idea of that determined spirit which pervaded the whole. The Court will be pleased to observe, that this letter was written to Mr. Anderson, at a period when all others, except Mr. Hastings, were ready to sink into despondency.

(C O P Y.)

Fort William, Dec. 4, 1782.

MY DEAR ANDERSON,

I Have received yours of the 13th ult.—It is near a month since your letters informed me, that the delivery of the ratified treaty had been promised in fifteen days, and repeated and positive assurances given by Mahdajee Sindia, that his engagements should be fulfilled to your entire satisfaction, or something to that effect, for I have not your letters
by

by me.—If, when you have received this letter, the ratification has not been made, nor Sindia afforded the proofs, whatever they may be, of his fidelity to his engagements, and ability to maintain them himself, and enforce them on others, I shall pay no attention to his future declarations. Had I the power to act from myself alone, I should bring this business to a very short issue. Let us, however, do what we can.—Tell Sindia, but tell him in person, and in my name; 1st, That you have continued too long with him for the honour of our government, if you were only to be the attendant on his person; 2d, That it is necessary to come to a full explanation, and a determinate one, on the points which remain to be adjusted, and for which alone you have been permitted to remain so long with him; 3d, That these points are, first, the ratification of the treaty; and, secondly, a plan of co-operation against Hyder Ally; 4th, That we have expected the former only as it led to the latter, not considering it necessary to the confirmation of the Peace, which by our ratification of the general treaty, and its conclusion by him under the full powers which he possessed is as fixed and binding as the most solemn of all possible sanctions could make it; 5th, That until the treaty is ratified, we shall consider him in his own person as the party to it, and when it is ratified, as the guarantee; but the state bound equally in either case, the form of the ratification being his concern, not ours; 6th, That we are satisfied with our alliance with him; and prefer his name and faith to any other

other for the security of the engagements of his nation; 7th, That the general treaty was concluded and executed seven months ago, and ratified by us on the instant of its receipt; 8th, That the procrastinating spirit of the Marattas, which is proverbial, in all their negociations and concerns with others, has already been the cause of one renewal of hostilities with the English, in spite of the laboured endeavours of this government to prevent it, and has always a tendency to produce the like consequences by the distrust inseparable from such appearances; 9th, That I acquit him of this national censure, having found him decided and consistent in every transaction which has passed between us; and which depended on himself alone; 10th, That therefore this remonstrance is intended for others, with whom we have no connection but through him; 11th, That General Sir Eyre Coote having come to Bengal for the recovery of his health, expects to be able to return to the Carnatic in the beginning of the next month; 12th, That we shall in the mean time concert with him the plan of his operations there, whether for peace or war, and give him final instructions; 13th, That Hyder himself is desirous of peace, and would agree to it on easy conditions; 14th, That his resources are greatly exhausted, his army reduced in numbers, and discontented; 15th, That the Carnatic, which afforded them a subsistence, and the incitements of plunder, is now a desert, and more unprofitable to them than to us; 16th, That we have received large reinforcements of soldiers, of the
King's

King's own army from England, which lie inactive because we are waiting the determination of the Maratta government, not chusing to involve ourselves in any designs which might eventually impede or embarrass our engagements with them; 17th, That it is therefore my desire to know, and I conjure him to tell me with that sincerity which has hitherto marked and done honour to his character, whether the engagements which we are willing to conclude with the Peshwa against our common enemy, can be formed and executed in this season, or whether it is impracticable; 18th, That in this act we must require the sanction of the Peshwa's name, and the concurrence of the minister to give it its due influence and credit; and for the same reason, I wish for the ratification of the treaty likewise, because the world will not believe them to be in earnest while they withhold it; 19th, That I wish to bring our contest with Hyder to an issue, while we have a superiority in strength, as there is a probability that he will be joined by a powerful armament from France in the next year, which may enable him to bid defiance to our united efforts, if delayed so long; — 20, That if they will engage in a plan of immediate co-operation with us, we will make that our object: — 21, But if they will not, we will take care of ourselves; — 22, That we make no scruple of avowing our wants, because we know theirs to be at least equal to them; since the total loss of the Carnatic, were we to lose it, would be no real loss to us; it would indeed be a loss of credit, and injure

our national character by involving the ruin of an old and faithful ally; but our substantial possessions would acquire an additional value from it, Hyder is in possession of a large portion of Marratta dominions, and with the conquest of the Carnatic (an event which I only suppose for argument) would be in a condition to make an easy prey of the rest of the Decan; but if he is only freed from the war with the English, and left at liberty to carry all his forces towards the Kristna, he will not only be able to secure his new possessions in that quarter, but add to them.

I rely on your firmness and address to give this remonstrance complete effect. It is certainly *my* wish to prosecute the war against Hyder to his destruction; but if the Marattas will not assist us, our Forces and resources in the Carnatic are not equal to a war with him and his allies the French; and it will be more for our interest, and even credit, to make peace with him. — This alternative I have therefore resolved to adopt *for myself*. — The General, I believe, inclines to a peace, and would be pleased to be the instrument of effecting it. — These are my own sentiments: make what use of them you please. — Those of my colleagues in this matter I have not consulted.

I am,

My dear Anderson,

Your most affectionate Friend,

(Signed)

WARREN HASTINGS.

D

This

King's own army from England, which lie inactive because we are waiting the determination of the Maratta government, not chusing to involve ourselves in any designs which might eventually impede or embarrass our engagements with them; 17th, That it is therefore my desire to know, and I conjure him to tell me with that sincerity which has hitherto marked and done honour to his character, whether the engagements which we are willing to conclude with the Peshwa against our common enemy, can be formed and executed in this season, or whether it is impracticable; 18th, That in this act we must require the sanction of the Peshwa's name, and the concurrence of the minister to give it its due influence and credit; and for the same reason, I wish for the ratification of the treaty likewise, because the world will not believe them to be in earnest while they withhold it; 19th, That I wish to bring our contest with Hyder to an issue, while we have a superiority in strength, as there is a probability that he will be joined by a powerful armament from France in the next year, which may enable him to bid defiance to our united efforts, if delayed so long; — 20, That if they will engage in a plan of immediate co-operation with us, we will make that our object: — 21, But if they will not, we will take care of ourselves; — 22, That we make no scruple of avowing our wants, because we know theirs to be at least equal to them; since the total loss of the Carnatic, were we to lose it, would be no real loss to us; it would indeed be a loss of credit, and injure

our national character by involving the ruin of an old and faithful ally; but our substantial possessions would acquire an additional value from it, Hyder is in possession of a large portion of Marratta dominions, and with the conquest of the Carnatic (an event which I only suppose for argument) would be in a condition to make an easy prey of the rest of the Decan; but if he is only freed from the war with the English, and left at liberty to carry all his forces towards the Kristna, he will not only be able to secure his new possessions in that quarter, but add to them.

I rely on your firmness and address to give this remonstrance complete effect. It is certainly *my* wish to prosecute the war against Hyder to his destruction; but if the Marattas will not assist us, our Forces and resources in the Carnatic are not equal to a war with him and his allies the French; and it will be more for our interest, and even credit, to make peace with him. — This alternative I have therefore resolved to adopt *for myself*. — The General, I believe, inclines to a peace, and would be pleased to be the instrument of effecting it. — These are my own sentiments: make what use of them you please. — Those of my colleagues in this matter I have not consulted.

I am,

My dear Anderson,

Your most affectionate Friend,

(Signed)

WARREN HASTINGS.

D

This

This letter had its effect, and was the principal cause of bringing matters to a speedy conclusion. — As to the latter part of the motion, it is necessary to declare as my own sentiments, and the sentiments of those with whom I am acting, that we do not mean, as has been industriously given out in the world, to continue Mr. Hastings in the perpetual government of Bengal; on the contrary, it is our wish that his successor shall be appointed; but until a proper successor should be found, we do not wish our affairs should be left in confusion before the arrangements necessary upon a peace establishment shall have taken place; we think also for obvious reasons, that Mr. Hastings is the fittest person to carry these regulations into execution: whoever his successor may be, it can be no diminution of his dignity, nor any loss in fulfilling the purposes of his commission, to hear and see the plans Mr. Hastings may have adopted; so far from wishing a successor may not be appointed, we are desirous it may take place. Mr. Hastings has formally announced his wish to re-visit his native country, and desired a successor might be appointed; but we are jealous in considering who that person may be. The maintaining dominion at such a distance, is one of the most wonderful scenes in human society, it can only be held by the exercise of the utmost wisdom: this reflection, Sir, must often occur to your mind in moving the goose-quill with which you give or take away a kingdom at the other side of the globe. It is not every person who may make a figure at a court, that is fit for such a trust.

The

The numerous qualities which are requisite, are hardly to be found united in the same person. Our possessions in the East Indies seem now to be our best stake, the chance of holding them must not be tampered with — In this choice neither favour or affection, but real efficient qualities should prevail. His Majesty may give titles and honours, but he cannot communicate the wisdom and experience which are requisite to a Governor General of Bengal, where the want of local knowlege, if the choice should fall on one who has never been in the country, can only be made up from that general knowledge and experience, which is capable of applying its reflections to every situation in life. — Such men are not to be met with in every club of this great city, even if we proceed in our search to those in St. James's Street; perhaps they must be sought for in the shade of retreat. That the proprietors of East-India stock should have some opinion in the choice, is what I maintain; that they should alone direct, is more than I contend for. — To fall so low as we are placed by the compiler of the Ninth Report, is a situation to which I never will submit, until the plan he proposes of annihilating our privileges, shall be carried into execution. It is curious to examine the conceit and the principles which are apparent in that performance. He tells you that all the Reforms which Parliament have attempted hitherto, have been destructive of the end proposed; and yet, without drawing the natural conclusion, of precaution in breaking ancient institutions with too much temerity;

where the united wisdom of the nation has failed, this gentleman is for levelling every barrier in the constitution of our body, and breaking in pell-mell upon those rights and privileges which have sustained the intercourse of the East so long, which conquered the dominion in question, and has preserved it under the late desperate attacks.

Another reason for conceiving the motion in those words, is to avoid any shock between the jurisdiction of the Court of Directors, and the Governor General of Bengal; where the dignity of both seem to be committed — it is not my wish to enter into the controversy. If Mr. Hastings is requested by this Court to continue in his government, the restoration of Cheyt Sing is necessarily given up; while at the same time, it may be proper on his part, to submit to the restoration of Mr. Bristow and Mr. Fowke — but while I say this, and declare it as my opinion, that in every controversy between the Directors and the Governor General, the power of the Directors must be supreme. — I beg leave to remark on the other hand, that much discretion must necessarily be left with the Governor General, and a due deference to his rank and situation ought always to be observed. From the distance at which he is placed, many things may occur, which could not be known at the time of issuing the order — wherever it shall evidently appear, that such circumstances are material in determining on the point in issue, at the time of giving the orders, and which were not known to the

the Court of Directors, I shall not think the Governor General to blame in referring the matter again to their consideration; but when, with all those circumstances before them, they have a second time resolved, their orders must be implicitly obeyed. In the same manner the Court of Directors must, by our constitution, submit to the decision of a General Court — while the General Court should always be careful and cautious not to violate the respect which is due to the persons they have chosen for the management of their affairs — Thus in the case of Mr. Bristow and Mr. Fowke; I think Mr. Hastings was bound to place them in the situations, to which the Court of Directors had ordered them to proceed, at Oude and Benares. At the same time I am of opinion, that it was below the Court of Directors to make this a cause of difference with their chief Governor, who should undoubtedly have the choice of the men he is to employ in confidential embassies to foreign powers. It is impossible the Court of Directors can be so good judges of the merits of their servants in this respect, as the Governor General on the spot. Even the nomination of Mr. Bristow and Mr. Fowke, shew that they were not appointments in the ordinary line of succession, because many of their seniors might have claimed those stations — supposing the Court of Directors had interfered in the appointment of Mr. Anderson to negotiate with Scindia, it is probable that no other man could have been found of equal ability; this shews Mr. Hastings is not inattentive to merit in the objects

I

of

of his selection : the politics of Oude and Benares are equally links in the chain of negotiation. It would be deemed extremely severe even in his Majesty, to insist upon appointing ambassadors to the courts of Europe, notoriously hostile to the ministry he employed ; and yet there is no doubt of his Majesty's power to send any ambassadors he thinks proper. In every situation there are confidential places, which the Supreme power always leaves to the efficient person, who is to carry his orders into execution, to fill up as he pleases. The Admiralty has an undoubted right to appoint captains, but it is always left to a flag officer to name such a person as he approves, for the command of the ship where the flag is hoisted. The answer of Mr. Hastings was putting the controversy in a true light, " If you persist in ordering those gentlemen to confidential posts which have always hitherto been filled up by the Governor General, you ought to recall me ; it is better that I should be removed, than the authority of your government be weakened in the eyes of the natives." In this there was nothing disrespectful, it was the language of a man who felt the dignity of his trust, and the interest of the public good. When Hannibal arrived in Afric to the relief of Carthage, the council sent him orders how he was to proceed in the manner of attacking Scipio. His answer was, " That in matters of civil concern, the council of Carthage must determine ; but while they entrusted him with the command of their army, he must be left at liberty to judge how to attack the Romans.

Another reason why I am anxious this question should pass unanimously is, the effect it will necessarily have on his Majesty's Ministers. They will certainly be more cautious in proceeding to punish those men who have received such testimonies of public applause; at least it will oblige them to examine true merit with their own eyes. Whatever prejudices they may have received from the representations of the principal member of the Select Committee, I imagine when the approbation of so respectable a circle of Proprietors as are now assembled, they will deliberate twice before they proceed in the career he has pointed out. There was a time when the influence of that gentleman was such, that his authority would have been sufficient to have directed the resolutions of his party without farther examination; but I believe this implicit influence no longer exists. If therefore our proceedings have no other effect than to enforce a strict examination, I think we have gained a great deal; neither can I believe for my own part, that the Duke of Portland, and his friends the Cavendishes, noted as the Bourbons for good-nature, will bind themselves to the resentment of others, and join in the persecution of a man who has rendered such national services; nor that they who formerly maintained the danger of violating chartered rights, will in the first session of Parliament after getting into power, forget all the doctrines they have held on the subject respecting this very Company.

I there;

I therefore move, Sir, " That it is the opinion of this Court, that Warren Hastings, Esq. Governor General, and the other members of the Supreme Council, have displayed uncommon zeal, ability and exertion in the management of the affairs of the East-India Company during the late hostilities in India, particularly in supporting the war in the Carnatic, under so many pressing difficulties, when that country was in danger of being lost by the successful irruption of Hyder Ally Cawn, aided by the French, and also for concluding the late treaty of peace with the Marattas, at a period so very critical, and on terms so honourable and advantageous to the permanent interests of the Company.

" Resolved, therefore, That the thanks of this Court be given to Warren Hastings, Esq. and the other members of the Supreme Council, for the above specified great and distinguished services; and that this Court doth request the said Warren Hastings, Esq. Governor General, not to resign the station he now holds, until the tranquillity of our possessions in India shall be restored, and the arrangements necessary upon the re-establishment of peace shall have taken place."

Before I sit down I hope the Court will indulge me in saying a few words on a subject, which I admit is somewhat extraneous to the present question, while at the same time it naturally rises from the occurrences I have mentioned in the debate.—The
subject

subject I allude to is the suspension of General Matthews, after being instrumental in so glorious a degree to the conquest of Bednore and Mangalore. I am far from saying there may not be good cause for his suspension; at the same time I declare, I am filled with every prejudice in his favour to induce me to think the contrary. I shall go farther, by saying that all the reasons I have yet heard assigned in vindication of such proceedings, fortifies me more and more in opinion, that they do not exist on any justifiable grounds.—This officer seems to me to have revived that spirit of irregular enterprize by which we acquired our possessions in the East Indies, and by which we must preserve them.—It was more particularly applicable to the countries which he attacked where European armies had not before penetrated—The conduct of a General in such proceedings can only be estimated by his success. The ignorance of our adversaries, the fear which our rashness conveys to their mind, the enthusiasm the troops acquire in such a career, are all to be estimated in the scale of our proceedings. Who can pretend to measure the conduct of Cortez by the scale of human prudence? We are told, that the cause of superseding General Matthews, is the storming a number of forts which he might have marched round without losing any of his troops; perhaps this was necessary both to intimidate the enemy and to encourage his own men, when they saw that such fortifications could give no protection to the one, nor obstruction to the other; perhaps a moment's delay in marching by detours

E

would

would have hazarded the main enterprize; in short, I can imagine a thousand situations which would render such a conduct commendable, instead of being liable to any blame. Another charge is, that General Matthews had marched to the capital of Bidnour (Hydernagur) without provisions or any ammunition, and thereby risked the whole army. This also is vindicated by his success. He took the province, and has since conquered Mangalore. There are hardly any accounts of our transactions in the East which are more splendid, or of more consequence, or which happened at a time more critical; and yet this officer is superseded and disgraced, upon the complaint of some of his Majesty's officers who would have prosecuted the war according to the more established rules of their profession.—I wish to pay every deference to his Majesty's officers; I wish to show them every attention that does not diminish the spirit of the Company's troops. They are both in their several stations, officers of the State, which has thought an incorporated Company the best mode of governing those possessions, whose profits can only be made beneficial by the means of commerce; but, whenever the spirit of that service shall be broken, or ideas shall go forth, that a man, because he holds his Majesty's commission is necessarily more knowing than a person under the authority given to the Company, though the one may have seen many years of service, while the other can claim no consideration from experience; I say, that in such a state of things, it were better to surrender the charter
at

at once than admit of such maxims ; and, therefore, as long as we hold the power, we must support the persons necessary for maintaining it, not in any partial contest between the King's troops and the Company's troops, but in an exact and equal distribution of justice on any dispute that may arise between them ; and this is all I shall say on subject at present, farther than adding, by way of recommendation, that no time may be lost in rendering this justice to General Matthews.

When the Governor had finished his speech, the clerk read extracts from the public dispatches, by which it appeared that the successes of General Matthews had been most rapid and important : that he had taken Onore and Merghy, where he found a very considerable supply of naval stores belonging to Hyder Ally ; and had burnt one sixty-four gun ship, and two fifties, which were nearly compleated, besides several smaller vessels : that he afterwards entered the province of Bidnour, and took several forts — forced the passes to the capital, which surrendered to him upon terms in February last : and that Mangalore, the capital of Hyder's possessions on the Malabar coast, had since been taken by General Matthews. The clerk then read a letter from Mr. Anderson to the Court of Directors, in which he states that since the final ratification of the Maratta peace, he had made great progress in a separate treaty of alliance with the Marattas against Tippoo Saib : and he next read an account of the

retreat of Tippoo Saib from the Carnatic, and that the British troops took possession of Arcot on the 13th of March. The supplies sent to Madras and Bombay since the commencement of the present war, by the Governor General and Council of Bengal, were, to Madras, about two hundred and ten lacks of rupees, and to Bombay, three hundred and thirty lacks, making above five hundred and forty lacks of rupees, or six millions sterling. The accounts farther stated, that the troops in the province of Oude had been paid to a day, and that there was a very considerable increase in the revenues.

Mr. *Dallas* rose to second the motion, but was prevented by Mr. Edward Moore, who desired to know if there were no other papers to read. He wished to ask the Chairman if he was not prepared with an answer to the very extraordinary letter which had been received from Mr. Hastings; and he wondered that that letter had not been read. That letter contained a direct charge against the Directors. Mr. Moore was proceeding, when he was called to order by Governor Johnstone, who said, that as the advices had been open for the inspection of the proprietors, he had not called for farther papers; and particularly that he thought there was no occasion to call for that letter, as it had been read at the last General Court, and consequently was before the proprietors; add to this, it had been printed in all the newspapers: but that the honourable gentleman might undoubtedly

undoubtedly move for the reading of any paper he thought proper.

General *Oglethorpe* desired to speak to order. He said the Court had then a motion before them, which, as he understood, a learned gentleman was ready to second; afterwards the honourable and worthy gentleman might undoubtedly move for the production of any paper he thought proper: but the General begged they would proceed in order, and that Mr. Dallas should be permitted to second the motion then before the Court.

Mr. *Dallas* then rose, and seconded the motion, in words nearly to the following effect: —

Mr. Chairman,

I RISE to second the motion made by the honourable Governor; and in the discharge of a task, so grateful to my feelings, I shall have occasion to take up but little of the time of the Court; because I am sensible, that it is not in my power to throw additional light upon a subject which the honourable Governor has already placed in so striking a point of view; and besides, that I hope, this is a motion which will meet with no opposition. However much we may have differed upon former occasions, I trust that in the present instance the Court will have but one feeling, and one voice.

At the same time that I say this, I should be extremely sorry if the object of the present motion were to be the result of senseless unanimity, or careless indifference. I feel that we are soliciting for Mr. Hastings, what to a mind independent like his, and above mean and base considerations, must be the most valuable reward, the approbation of his constituents, publicly and honourably expressed. I am aware, however, that the thanks of bodies of men have, of late, been prostituted to such unworthy purposes, that they can scarcely be considered as conferring honour or distinction; and that a man of real merit may turn away with contempt from an offering, which the empty professions of every artful impostor never fail to obtain from a credulous and deluded public. But the thanks for which we move this day, must be founded upon great and meritorious services, of which undeniable evidence is upon your table; and I trust, that they will be offered and accepted as the effusion of real gratitude, and the genuine tribute of the heart.

Before I enter upon the consideration of the present motion, I must be permitted to look back to what passed upon a former occasion, I mean that memorable day, when the manly and spirited interposition of this Court rescued Mr. Hastings from unjust obloquy and unmerited punishment; and by continuing him in his present station, in opposition to the vote of the Court of Directors, enabled him, as the honourable Governor has pointedly observed, to perform

those services which, to-day, are the subject of public congratulation. At that period of time our affairs, at best, wore a doubtful aspect: we were engaged in a long and ruinous war, and had nothing but the assurances of Mr. Hastings, that peace would be soon restored. Opposed to these assurances were the confident declarations of men in high and responsible situations, that Mr. Hastings either deceived the Court of Proprietors, or was himself deceived upon the occasion. Yet upon a ballot, when notwithstanding, if there were no direct interference, yet the sense of administration was supposed to be hostile to Mr. Hastings; with the votes of the Directors in support of their own resolutions; with all their influence exerted among their friends and connections, and their authority exercised over their dependants; with all the disappointed men, and personal enemies, which the long possession of power can never fail to create: of upwards of twelve hundred Proprietors, only the miserable number of seventy-five could be collected together to vote for Mr. Hastings's removal. If such, at that time, were the support he received, will he be deserted, at the present day, by those whose assistance he then possessed; after he has brought our affairs to the most favourable issue; when hope is realized, and expectation fulfilled; and his conduct has completely justified the confidence reposed in him?

But if any opposition should arise to the present motion, I will state upon what grounds it appears to
me

me that opposition must rest. The motion consists of two distinct propositions: the first, A vote of thanks to Mr. Hastings and the other members of the Supreme Council for specified services; the second, A request to Mr. Hastings, not to resign his present station until the tranquillity of our possessions in India shall be restored, and the arrangements necessary upon the establishment of peace shall have taken place. Whoever resists the first part of the motion, must either Deny the existence of the facts which it asserts, or affirm, That they are not of a nature to entitle Mr. Hastings and the members of the Supreme Council to thanks: and with respect to the second part, undoubtedly, evidence to shew, That though in these particular instances Mr. Hastings has deserved well of the Company, yet his general conduct has been of a nature to render such a request improper, will be ground, upon which, if just, it ought to be opposed with success.

With regard to the relief of the Carnatic, it is a circumstance of public notoriety, a particular account of which is upon the table, and therefore a fact which I shall treat as beyond denial. It remains only to be considered, whether, and in what degree, that relief was owing to the Governor General, and the Supreme Council of Bengal.

Of the ample and extraordinary supplies sent from time to time by the government of Bengal for the relief of the Carnatic, the paper which was read some
time

time ago contains a detailed account, and affords irresistible evidence. These supplies have been furnished during a period of public distress, and when the enemies of Mr. Hastings were loud in their assertions, that the resources of Bengal were not equal to the exigencies of its own government. An impoverished country, an exhausted treasury, an army in arrear, the civil servants unpaid, it was confidently predicted, could terminate in nothing less than disaffection in the provinces, revolt in the troops, impotence in the hour of foreign attack, rebellion among the civil servants, in a word, in the ruin of the East India Company's affairs. Yet notwithstanding the internal distress of Bengal, a distress unavoidably occasioned by a long and expensive war, undertaken, as this court has already voted, in obedience to the positive commands of the Court of Directors, the exertions of that government enabled it to afford the relief you have heard stated, and to preserve, within itself, tranquillity and peace. I admit the distress of Bengal to have been great; but I contend, that in proportion to that distress is the merit of the Supreme Council, in affording supplies to the Carnatic, at a time when their own wants were of so pressing a nature. In addition to the evidence you have already heard, I will beg leave to add the testimony of those who were upon the spot, and whose situations render them competent witnesses upon the occasion. General Stuart, in a minute recorded upon the Madras consultations, begs leave to dissent from a paragraph

F

contained

contained in the general letter from that government to the Court of Directors, and which ascribes our success in the Carnatic to the good conduct of Lord Macartney, because he is convinced that it is owing to the gallantry of Sir Eyre Coote, and the unparalleled exertions of Mr. Hastings. Sir Eyre Coote himself, that great and gallant officer, who, with a handful of men, has triumphed over mighty nations, and achieved conquests, than which the page of history can afford none more brilliant, in a letter to the Supreme Council, imputes his success to the liberal support with which Mr. Hastings had furnished him. And here, let me draw the attention of the Court to a fact which will strongly enforce the propriety of the present motion. Sir Eyre Coote has received the thanks of the nation for the services he has performed in the Carnatic. We have his own authority, that these services were the consequences of the liberal supplies he received from Mr. Hastings. What then! Shall Sir Eyre Coote receive the thanks of his country for the services he has performed, and shall they be denied to Mr. Hastings, who enabled him to perform these services?

Allowing to the other members of the Supreme Council all the praise that zeal and ability employed in the public service deserve, the honourable Governor has informed the court, that to Mr. Hastings, the relief of the Carnatic is most peculiarly to be ascribed. One fact alone will place this truth beyond doubt, and above contradiction.

The

The first intelligence of the irruption of Hyder Ally into the Carnatic, was communicated to the Supreme Council at Bengal, with all those circumstances of distress and horror which attended it, at a period when their own resources were in an exhausted state, and when the long prevalence of internal discord in the public Councils had relaxed all the springs of Government. Terror confounded, despair overwhelmed every ordinary mind. But the soul of Mr. Hastings was incapable of dispondence. The Council was assembled. With advice suited to the occasion, he proposed, by a vigorous and daring effort, to afford the government of Madras, their only chance of safety, and to send them an immediate supply of fifteen lacks of rupees, and a reinforcement of six hundred and thirty Europeans, with Sir Eyre Coote to head the army. These troops were to be transported by sea, at a season of the year when the navigation was supposed to be impracticable, and had been unattempted even by the adventurous spirit of commerce. But what was the conduct of Mr. Francis upon the occasion? Instead of proposing any measures for the relief of the Carnatic, he trembled for the safety of Bengal. The project of Mr. Hastings communicated fresh terrors to his breast. He objected to the supply of treasure, because it was impossible to foresee how soon their own government might stand in need of it; and he opposed the reinforcement of troops, because it was inconsistent with the safety of Fort William. Let us retire into the citadel and defend ourselves, was the advice of Mr.

Francis. Let us march out, and attack the enemy upon the confines, was the cry of Mr. Hastings. In what situation would the Company's affairs have been, had the prudent counsels of the former gentleman prevailed? If Sir Eyre Coote, with this actual supply in money and troops at the time, and with additional supplies poured in occasionally, could barely stem the tide of battle, and maintain his ground, what would have been his fate had he arrived upon the coast, without treasure and without troops, to head a dispirited army, against an enemy confident from victory, and flushed with success? Was not the honourable Governor warranted to assert, that the relief of the Carnatic is peculiarly owing to the spirited conduct of Mr. Hastings?

If such were the peculiar merit of Mr. Hastings in the relief of the Carnatic, let us consider whether he has an exclusive claim to praise for his conduct, with respect to the Maratta peace. The first and immediate cause of that peace is generally admitted to have been the attack upon Mahdajee Scindia's dominions; and I will now state to the court the history of that attack.

A minute entered upon the public consultations of the 12th of June, 1780, in the secret department, and signed by Mr. Hastings, after stating, in general terms, the probable advantages of activity in bringing the Maratta war to a conclusion, contains the following proposal: — *Let it be given in instructions*

instructions to Major Camac, if he shall find it practicable, to march his detachment, in conjunction with the forces, which the Ranna by his treaty will be obliged in such a case to furnish, directly to the capital of the territory dependent upon Mahdajee Scindia. This cannot fail to divert him from the war in Guzzerat; and by bringing it home to his own interests, which have hitherto been wholly exempted from it, induce him to be an equal solicitor for peace, to which at this time he appears to be the only impediment. — Whoever, with the knowledge of what has since happened, shall read this minute of Mr. Hastings, and consider the actual state of affairs in India at the time, to him it will more resemble the spirit of prophecy, than the efforts of a human mind from causes deducing their effects. It seems as if his penetrating eye had pierced into futurity. Inspired by the confidence of success, he concludes this minute with more than his ordinary warmth, and conjures his colleagues in the most pressing terms to concur with him in the measure, or, at least, if they cannot concur, to desist from opposing, and to leave to him all the responsibility, and the consequences attending it. At length, kindling into enthusiasm, he adds, Would to God I could be answerable with my life for the consequences! To those who are acquainted with the character of Mr. Hastings, this will not appear a vain-glorious boast; nor will they hesitate to believe that he would cheerfully resign, at the public call, a life, of which three and thirty years have constituted a series of unremitted efforts for its service.

Such

Such was the minute which Mr. Hastings delivered in upon this occasion. Success, however, was not the consequence; and Mr. Wheeler's name appeared to a minute, jointly with that of Mr. Francis, stating objections, and dissenting from the measure. The enormous expence which would attend the expedition, was urged, among other reasons, why it ought not to take place. And now, let me entreat the serious attention of those who hear me to the conduct of Mr. Hastings. In his answer given in to this minute, he obviates the objection of expence in a manner which will scarcely occur to any mind. I will quote, at length, the passage, for the honour of human nature — "As the expence which will attend the measure which I have recommended is the only formal objection made to it, I hope I may be allowed to remove it, by offering to exonerate the Company from it, and to take it upon myself. The contingencies of the detachment are the only expence that can reasonably be charged to the expedition. These I rate at far below two lacks of rupees.* That sum I offer to contribute to this disbursement. I have already deposited it, within a small amount, in the hands of the sub-treasurer; and I beg that the Board will permit it to be accepted for that service." — Let the noisy declaimers against eastern venality and corruption stand forward, and produce, from the annals of their own times, a similar instance of zeal for the public service! Let the barefaced pretenders to pa-

* £ 25,000 sterling.

triotic virtue, who daily stun the nation with their impudent professions, exhibit, in the story of their own lives — not an offer of service in this extent — but any thing that resembles the principle which gave birth to it! Of the numerous volumes produced by the Select Committee, and devoted to the purposes of foul accusation, could not one page be rescued from its odious fate, and consecrated to the recital of such an instance of exalted virtue? Did conscience draw self-degrading comparisons? I forbear to enquire into the motives which occasioned this silence — But this much I will venture to predict, Though thought unworthy to be registered in the dignified productions of the Select Committee, it will live in the public memory, long after their authors shall be laid in dust, and themselves, and their productions, equally forgotten.

This minute had the misfortune to experience a like fate with the former, and only drew from Messrs. Francis and Wheeler a laboured reply, in which they persist in their opposition. I admit that reply to abound in plausible and ingenious argument; in subtle objections, and refined distinctions. Neither do I mean to insinuate, that it did not proceed from the conscientious exercise of their judgement. In truth, it was a project to stagger every ordinary mind. Even the honourable gentleman who makes this motion, and who is not apt to be confounded by the boldness of any scheme, has declared upon a former occasion, it would have startled him. But it

is in the perilous conjuncture, and upon the desperate occasion, that the genius of Mr. Hastings asserts its superiority. While the gentlemen who opposed him were dismayed with the difficulties and dangers of this plan; alarmed at the distance of the expedition; terrified at its expence; with-holding the public treasure to provide for the last extremity; urging the possibility of an invasion of their own provinces, which would be left in a defenceless state: — Mr. Hastings felt that there were seasons when the public safety must be risked; and when upon the dangerous hazard of daring councils, depends the only remaining chance of success. — I turn away from the unhappy personal consequences, which afterwards followed from this minute, betwixt Mr. Hastings and Mr. Francis. — It is sufficient to say, the expedition at length took place. Every thing Mr. Hastings had predicted was verified in the event. *Mah-dajee Scindia's camp was attacked with success; his attention was drawn off from the War in the Guzzerat to the defence of his own territories; he became a solicitor for peace; and from the enemy whom we had most reason to dread, was converted into the friend in whom we had most cause to confide; and the faithful negociator, by whose interposition Mr. Hastings was enabled to accomplish the present peace.*

In stating the minutes which passed upon this occasion, I hope it will not be imagined, that I mean any disrespect either to the name of Mr. Francis or Mr. Wheeler. I respect the abilities, and I regard the integrity

integrity of Mr. Francis; but it is from the triumph over the opposition of such abilities, that the character of Mr. Hastings derives additional lustre. With respect to Mr. Wheeler, Mr. Hastings himself has borne the most honourable testimony to his private worth, and to his public merit.

Having stated, at some length, to the Court, the conduct of Mr. Hastings, with respect to the attack upon Scindia's dominions, I have only one circumstance more to mention, that regards this subject. The plan for a separate peace with Scindia, after the success of that attack, was dictated by Mr. Hastings while upon the Benares expedition; subsequent to the assassination of the troops; all the horrors of that scene yet recent; the ground still smoking with the blood which had been shed; dangers encompassing his own person; a retreat to be effected with an inconsiderable escort through a country, which it was apprehended might rise up in arms — at such a time, disregarding the dangers which surrounded him; his mind, calm and undaunted, was only employed upon projects for the public benefit; and he formed, and dispatched to Colonel Muir, the plan of that separate peace with Mahdajee Scindia, which has since conducted to a general pacification with all the Maratta powers. In the progress of the negotiation he had every difficulty to encounter. The most violent opposition upon the spot, was countenanced by the support of the Court of Directors at home. The language which issued from this country, was of a

G

nature

nature to dispirit Mr. Hastings, and render those, with whom he had to treat, imperious and impracticable. The necessity of peace was stated in the most abject terms, and the deplorable sentiments entertained by those, who had the management of the Company's affairs, were circulated with active zeal through all the nations of Indostan. Censures were aimed, and threats denounced against Mr. Hastings. Every method was pursued to counteract his efforts, by lessening his personal weight and consequence. Yet under all these circumstances, without friends, and without support, obnoxious to the resentment of the Court of Directors, and conducting a war, the unavoidable expence of which had rendered it unpopular to the nation; he has manifested through every part of this arduous negotiation, a firmness of mind which no circumstances could shake; a spirit proof against the contagion of fear; and instead of suffering his conduct to be influenced by the opposition he received, he has acted with the same confidence, as if he had been backed with all the support the country could afford. *Not to have despaired of the Commonwealth*, was, in Roman times, a subject for public thanks. What praise then is due to him, by whose spirited conduct, through a long season of general despondence, we have at length obtained a most honourable and advantageous peace!

You all remember how confident were the predictions of Mr. Hastings's enemies, that the assurances of this peace were delusive and deceitful; with
what

what contemptuous sneers they treated our weak credulity, and ridiculed a belief which could only be occasioned by the most profound ignorance. These predictions must either have been the effect of interested malice, or of conscientious belief. In the first case, it is in vain to urge the advantages of the present peace; for that malice will not be less inveterate, because covered with shame; but in the latter, Mr. Hastings must receive all the commendation liberal minds can bestow. Such assertions were acknowledgments of the difficulties which stood in the way of a peace; and must now become testimonies to the merit of the man whose unparalleled exertions have removed these difficulties. What will they say who predicted *no* peace, to *such* a peace? It seems the characteristic of Mr. Hastings, not only to refute the malicious prognostics of his enemies, but to out-do the most extravagant predictions of his friends.

I have now, Sir, troubled the Court, very much at length, upon the former part of this motion; and I flatter myself no doubts remain, that the conduct of Mr. Hastings, and the other members of the Supreme Council, is entitled to our thanks, in the two instances of the relief of the Carnatic, and of the Maratta peace. I have a few words to add with respect to the latter part of the motion, The request to Mr. Hastings not to resign his government at the present period.

I have said, that if evidence can be produced to shew, That the general conduct of Mr. Hastings has been of a nature to render such a request improper; this part of the motion ought to be opposed with success. What has been that general conduct?

The honourable gentleman who made the motion has already adverted to a report prepared by a committee of the House of Commons, and which contains serious accusations against the conduct of Mr. Hastings. I rejoice that the honourable Governor has introduced this subject, because this is an occasion upon which it would have been unfair not to have adverted to a circumstance of such a nature, and besides, that the enemies of Mr. Hastings have circulated this report, during the recess, with the most malevolent assiduity, as a publication which, they flatter themselves, will prove destructive to his fame. It falls within my own experience that this publication has undoubtedly left impressions unfavourable to Mr. Hastings upon honourable and impartial minds; and it is become incumbent upon his friends to prevent, as far as may be in their Power, these prejudices from affecting the public opinion. It is true, that subsequent to that report having been presented to the House, the intelligence arrived of the Maratta peace; a service of so brilliant a nature, that the honourable Governor flatters himself, it will not only shield Mr. Hastings from all farther prosecution, but that those who have been most vehement in his censure, will become
most

most earnest in his praise. With his political experience, and sound knowledge of mankind, can the honourable gentleman seriously entertain such hopes? If great and meritorious services, if unblemished integrity, if virtuous consistency of conduct, could have disarmed his enemies, would Mr. Hastings have endured the persecution he has already undergone? It is, as the honourable Governor has truly stated it to be, A struggle for power; and the ardour of those engaged in it will only encrease from what has happened; their efforts will be violent in proportion as their situation is become desperate. Against these efforts it becomes us to provide, and to afford Mr. Hastings a support, as honourable to ourselves, as I hope it will prove beneficial to him.

An honourable gentleman (Mr. Moore) behind me, was very anxious, some time since, that a letter, dated the 20th of March, 1783, and addressed by Mr. Hastings to the Court of Directors, should be read to the court, and he charged the honourable Governor with partiality in having moved that such papers only might be read as would conduce to the purpose of his motion, and holding back from the public view those which might justify an opposition to it. Having made this attack upon the conduct of another, the honourable gentleman will permit me to enquire how far his own will stand examination. In answer to a question put to him by the honourable Governor, the worthy Proprietor declared, that he had not read the Maratta treaty, the chief paper in

in support of this motion, and which, one would imagine, not merely those immediately interested, but every man not totally indifferent to public events, would have attentively considered. But yet, though this paper be so material to his information, and I take leave to add, indispensable to his fair decision upon the subject, the honourable gentleman never moves for it, though it has not been read, but calls for another paper, which he thinks will criminate Mr. Hastings. If he wished for full information, he was equally bound to move for one paper as for the other; but if not to move for every paper be a proof of partiality, in the same sentence in which he has urged the accusation against another, he has incurred the guilt of it himself. Which be the most venial offence, a partiality to acquit, or a partiality to condemn? let the Court determine. Thus much with respect to the honourable gentleman's impartiality, and the temper with which he comes to the discussion of this question. But, in truth, there is no foundation for the charge which he has preferred. With regard to the letter which he has mentioned, I myself would have seconded his motion, if I had not entertained too much regard for the time of the Court, to trouble them with the long reading of a paper, read, as the honourable Governor has stated, at a former Court, and inserted in all the public prints. While sublimity of thought, while dignity of sentiment, and magnanimity of soul, can command admiration, this letter of Mr. Hastings will stand in the foremost rank of the compositions

sitions of the human mind. It is true, it does contain accusation against the Court of Directors, and that accusation stated in terms of reproach; but dictated by a generous abhorrence of crimes with which he stood falsely accused. It is the tone of insulted honour; it is the language of injured virtue. Instead of kneeling to unmerited censures, and crouching to the menacing arm of power, Mr. Hastings, with the boldness of conscious innocence, turns upon his accusers. Why did not the honourable gentleman call for the minute of the 14th of November, 1782, as a fresh proof of the haughty and imperious spirit of Mr. Hastings? In that minute, after stating the unhappy effects which must necessarily result from the administration of a man, deprived of public confidence, and stripped of all support, he dictates to the Court of Directors a spirited line of conduct, and conjures them immediately to confirm or recal him. He enforces the necessity of coming to some instant resolution, for that either part of the alternative is safety, when compared with the mischiefs which must result from an unsettled government.

These were sentiments suited to the bold and manly spirit of the right honourable Secretary of State (Mr. Fox;) and immediately upon the receipt of this minute, he declared in the House of Commons, that whoever had read the last dispatches from India, must be convinced of the absolute necessity, that something should immediately be done.

A short

A short time afterwards he informed the House, that nothing but reasons of necessity could justify delay in the business; that such reasons existed; and among others, the Select Committee, he understood, had prepared a report, big with material information upon the subject, and necessary to enable the House to determine wisely upon the occasion. In so urgent a conjuncture, the world will naturally expect that report to contain nothing but material information; and if it shall appear to have been delayed till near the rising of the House, from the investigation of frivolous charges, and the insertion of unimportant matter, whoever has thus delayed it, has trifled with the security of the British possessions in India. But if farther it shall be evident, that the aim of this report is more the destruction of an individual, than the advancement of the public good; be the author of it whom he may, he is a traitor to his trust.

This report, big with the fate of India, has at length appeared; and I will venture to say, it is a production different, in its nature, from any which have preceded it. The world has hitherto been accustomed to consider a Committee of the House of Commons, as in the nature of a Court of Justice; the members of which, though bound by no religious tie, are under the most sacred moral obligations to divest themselves, as far as possible, of every corrupt view, partiality, and resentment; to enquire temperately, and report dispassionately. How far
this

this duty has been observed in the present instance, the world will determine. It is the first report of a Committee of the House of Commons, (and I appeal to the Journals of the House, and to the experience of every man conversant with parliamentary business) in which ridicule, irony, and invective, are made use of as the means to criminate individuals, and persuade the House. A practice of so unjustifiable a nature, will, I trust, produce no other effect than to alarm those who are ultimately to decide; and will draw their attention to a more strict examination of the evidence, when they have discovered the temper with which the report is prepared. In this examination, I assert in the face of the world, they will detect insinuation without ground; assertion without proof; facts without evidence; language unwarrantably construed; unjust inferences; and unfair conclusions. These are bold accusations, and I do not expect credit for them. I am not entitled to it. In every case the impartial mind must be determined by the greater degree of probability; and I confess it is infinitely more probable that I, from misconception, from officious zeal, from blind attachment, or, if you please, from unworthy motives, should prefer such charges, than that a right honourable gentleman should prepare, and a Committee of the House of Commons approve, a report subject to them. But I throw out this warning to the world in the name of an absent man. The only effect I wish to produce by it is, that whoever shall read the charges contained in this report, may likewise read the evi-

dence in support of them; and that no man who has not done this, will form an opinion upon the report unfavourable to Mr. Hastings. This request I am entitled to obtain, not merely on account of the assertions I have made, but because it is reasonable in itself; and I make it the more earnestly, from the certain knowledge, that many minds have already been prejudiced by reading the report without a reference to the evidence. Let them be compared with each other, and the character of Mr. Hastings will sustain no injury. The poison and the antidote will be taken in together.

But, after all, what does this black catalogue contain? Stale accusations, and exploded charges. Nine years have elapsed from the date of most of these supposed offences. The affair of Messrs. Bristow and Fowke is once more revived. The resignation by Mr. Maclean is renewed with every circumstance of aggravation. The charge of corruption made in times of the greatest political virulence, of which the acrimony of contention could explore no proof, and which was afterwards abandoned by those who had preferred it, is again attempted, and held forth to public view. No tale is too improbable; no testimony too base. Even the gibbet must produce an evidence against him, and the infamous name of Nuncomar once more offend the sight. The honourable Governor has particularly adverted to the charge of the Opium contract given to Mr. Sullivan. This contract was held by Mr. Sullivan upon the same terms

terms it had been possessed by other persons, and this was the manner in which (while General Clavering and Mr. Francis sat at the Supreme Board) those terms were settled. It was put up to public advertisement, and of twelve competitors, bestowed upon him who offered the lowest terms. But Mr. Sullivan was the son of a gentleman who had eight times filled the Chair of the India Company, the private friend, and the public supporter of Mr. Hastings, and the aim of the charge is, that it was given as a means of future influence, or as the reward of past attachment, to a gentleman whose situation in the service did not entitle him to it. I will admit the full effect of the charge, and abandon Mr. Hastings to the censure which he merits upon the occasion. It was reserved for the accuser of Mr. Hastings to exhibit, upon his accession to power, splendid instances of disinterestedness and self-denial; to resist the claims of kindred and of blood, in favour of those who had claims upon the public! But these are not the feelings of common men. Mr. Hastings is a common man! subject to all the frailties and infirmities of human nature; to the impulse of friendship where it may be indulged without material detriment to the public service; to the feelings of gratitude, where public duty does not rigorously forbid him to give way to them. Indeed, indeed, these are pitiful accusations! If the character of Mr. Hastings is not of a sufficient polish to cast off such stains as these, it is time the right honourable gentleman's purposes should be fulfilled, and Mr. Hastings re-

called. Which of these charges might not have been, with safety, deferred, till Mr. Hastings was upon the spot to explain his own conduct? If it be said that a scrutiny into that conduct was necessary to confirm or recal him, and that the safety of the British possessions in India materially depended upon the alternative, I answer, That the great charges of violation of treaties, of breach of national faith, of oppression of the native princes — any one of these charges, if true, was a sufficient ground for his recal, and to enter into the consideration of the others was superfluous; if none of these charges were true, the others could only weigh as dust in the scale against him.

But, at least, this rigid scrutiny will prove the temper in which his conduct is investigated. With what feelings will the House receive so many volumes devoted to crimination; in which every trifling fault is blazoned in the most glaring colours, while a veil is cast over his merits and his services, and virtues which have won the respect, and secured him the esteem of mankind, are passed over in profound silence, and treated with utter neglect. The world have now evidence before them to determine, how far that honourable gentleman was right, who declared, That though a member of the Select Committee, he had not attended their meetings, because he had early discovered such symptoms of prejudice and party-spirit, that he was convinced their proceedings must terminate in injustice.

In

In what I have said upon this subject, it has not been my intention to enter into an investigation of the charges themselves, because I feel this is not the proper time, but to obviate the prejudices which the enemies of Mr. Hastings have been industrious to excite. The day of trial must come, when the House must either express their disapprobation of these charges, or suffer Mr. Hastings to vindicate his character. The terms of Oppressor and public Robber must be retracted or proved. The right honourable gentleman stands pledged, in the face of God and his country, to prove Mr. Hastings, The most notorious delinquent that ever existed in India. I trust he has too much honour to consider his exalted station, as an eminence, from which, himself safe, and beyond reach, he may shower down upon the heads of others the destructive weapons of detraction and calumny. He will afford Mr. Hastings an opportunity to meet his charge. But if unfortunately I should prove mistaken, the House has too much honour, the Nation has too much justice, to endure such conduct. Yes, the day must come, when the Governor General shall meet the right honourable gentleman in the face of God and of his country. To that day his friends look forward with eager hope. He himself has desired to rest the issue upon the most manly and spirited alternative, Restore me my Honour, or, Deprive me of my Life. His letter to the Court of Directors contains language to this effect, I am not guilty of the crimes which you have laid to my charge; but if I am, Away with your cold
and

and pitiful censures, I deserve to die. This is the language of a man. In the mean time, let the world determine, Whether it is most probable, that they have preferred a false accusation, who to offences of such magnitude assign so inadequate a punishment, or that he is innocent of them, who entertains such an abhorrence of the accusation, that he disclaims, in case he shall be found guilty, the lenity they would shew, and challenges the utmost punishment which human vengeance can inflict.

I fear, Sir, I have taken up a great deal too much of your time, upon a subject which the abilities of the honourable gentleman who made the motion had nearly exhausted. It is unnecessary for me to add, after the sentiments I have professed, that every part of the motion has my most hearty concurrence. The request to Mr. Hastings to continue in Bengal until the arrangements necessary upon the establishment of peace shall have taken place, is no less founded in advantage to ourselves than in gratitude to him. Three and thirty years of his life have passed away in the Company's service. The experience of so long a period is an advantage which he must possess over every competitor. At an early age, his great abilities attracted the notice of Lord Clive, who appointed him Resident at the Durbar, a station, in which, it is generally known, he might have accumulated immense wealth. Yet after sixteen years of service he returned to England with a fortune so moderate, that he was obliged to go back to India, and went out with
the

the appointment of second in Council at Madras: a sufficient proof of his great integrity. The knowledge of his abilities, and the opinion of his virtue, induced the Court of Directors to appoint him, while in this station, to succeed to the Government of Bengal. Twelve years have passed since he has filled this arduous station; not in times of tranquillity and ease, but of turbulence and distraction. He has not, indeed, as the honourable Governor observed, reposed upon a bed of down; but (the honourable Governor will permit me to add) upon a pillow industriously planted with thorns. And shall we not support him now that times more fortunate are arrived? Previous to the commencement of the opposition in Bengal, and during the two first years of his government, he had made material improvements in the internal administration of the Provinces entrusted to his care, and had in several instances received the commendation of the Court of Directors. Now that peace is returned, and that unanimity prevails, he will pursue those improvements to their utmost pitch of advantage. Possessing so many requisites which can concur in no other man, to make the necessary establishments upon the return of peace, and to settle the Government upon a permanent basis, there is every reason to hope his plans will be founded in wisdom, and productive of material benefit; and that he may be enabled to pursue this desirable work, I most sincerely second the honourable gentleman's motion.

Mr.

Mr. *More* repeated his question.

Sir *Henry Fletcher* observed, that the letter of Mr. *Hastings* to the Court of Directors had been published in all the papers, and undoubtedly it contained charges which required that the Directors should enquire into the grounds of their conduct, and see if they could not justify it. He had done so — he had most carefully examined the records, and he had submitted the result to the Court of Directors, which was, in his own mind, a complete justification of their conduct. He certainly was at one time of opinion that peace would not have been made with the Marattas, for this reason; three distinct and contradictory negotiations were opened — General *Goddard* sent Captain *Watherston* to the Court of Poona; another negotiation was opened with the Rajah of Berar; and the third with Madajee Scindia. But on the death of Hyder Ally, and the conclusion of the war between England and France, he foresaw that the peace with the Marattas would be concluded — he said it at the time — and therefore the Marratta peace was not solely to be ascribed to the talents of Mr. *Hastings*, a part of the business must be allowed to the concatenation of events.

But to the question before the Court — In his mind it would be wise and temperate to enquire into the grounds of merit before they gave praise. To praise first, and to enquire into the propriety of doing

ing so afterwards, was neither dignified in the Court, nor honourable to the Governor General. Now there were certain points that must be enquired into — points which were not only very questionable, but ominous. For instance, by a resolution of the Council of Bengal, it appears on the records, that it was determined to give to Madajee Scindia one half of the city and territory of Broach. The offer of one half of it was made to him — but after the conclusion of the treaty with the Marattas, the whole was given up to him in a present without any reason being assigned, without any claim being made, without a single word being said to justify or explain the matter.

Broach produced à revenue, according to the last valuation at Bombay, sixteen lacks of rupees, which is two hundred thousand pounds. Thus hath the Governor General paid the enormous price of two hundred thousand pounds a year for this boasted peace with the Marattas. This was not all; on the very morning that the treaty was ratified, a private treaty was signed between Scindia and the Minister of the Marattas with so much secrecy, that Mr. Anderson has not been able to come to the knowledge of it; and it was therefore a reasonable conclusion, that an engagement, made in so questionable a shape, was hostile to the Company. In addition to this, the Court of Directors had received a letter from Mr. Hornby, informing them, that since the treaty with the Marattas, one of our ships, on board of which

were two officers of rank, who were going to an important command, was taken, and the officers were forcibly detained. Did this bear the aspect of a cordial peace? And would it not be proper to enquire into those particulars, before they come to the resolution of thanks proposed by the honourable Commodore? Sir Henry replied to several other of the matters thrown out; and in particular, he said, that against two of the officers chosen and appointed by Mr. Hastings, such charges were exhibited, that they were ordered to Calcutta to explain their conduct.

Mr. Sullivan.

I CANNOT suffer what has fallen from the Chairman to pass without a reply from behind the bar, least it should be supposed he has uttered the sentiments of the Court of Directors. I am sorry to see Mr. Hastings treated so ungenerously. Surely it is a Chairman's duty to act impartially; but, instead of that, Sir Henry has not produced one instance out of a thousand of Mr. Hastings's great merits. Nothing but laboured invectives and gross misrepresentations against the Governor General. For my own part, I revere the memory of those immortal heroes, (turning to the statues of Clive and Lawrence) although one of them was my inveterate enemy; but have they done more service to the Company than Mr. Hastings? What was the situation of the Company's

pany's affairs when Mr. Hastings succeeded to the government of Bengal in 1772? We were on the eve of a bankruptcy; and by the year 1775 he had increased your property three millions eight hundred and thirty-nine thousand pounds. What has he received in return? Not even thanks! And lately, when by a plan entirely his own, he has produced you a revenue of six hundred thousand pounds a year, your Directors are silent, and actually blame him for appointing two or three extra men, who are to collect the duties which are paid into your coffers. Of what consequence is it whether Mr. Hastings employs three, or thirty-three negociators, when he has brought the treaty to a conclusion. I am ashamed to reply to so frivolous a remark. The Chairman tells you he doubts the permanency of the peace, because a secret article has been signed by the Marattas and Sindia, on the day the peace was ratified; yet you have intelligence from Mr. Anderson, of a later date by a month, in which he speaks confidently of the good faith of Sindia, and the Peshwa; and that he has made great progress in a treaty of alliance with the Peshwa and Sindia, against Tippoo Saib. I beg the Court will consider from what quarter the Chairman receives his intelligence, and then they will conceive this to be as defective as that which he before received from Bombay. When the Fox packet arrived, which brought accounts that the ratified treaty was received in Sindia's camp, the Chairman brought a letter to us from an officer in Colonel Morgan's camp to Mr. Gregory, dated the 2d

of last April. This mentioned that a large body of Marattas were preparing to enter the Guzzerat, and to attack Surat. At another time, when Mr. Hastings wrote, that he was positive the peace with the Marattas would be concluded, if it was not so at that moment, our worthy Chairman damped our hopes by producing a letter from Bombay, saying that all hopes of peace were at an end ; and that a large body of Marattas were preparing to enter the Concan. I would be glad to know what became of these great armies that were to invade the Concan and the Guzzerat ? We have never heard a syllable more about them. I declare I am fully warranted, from what has happened, to with-hold my belief of any intelligence transmitted from Bombay, except the Governor and Council will vouch for the truth of the facts. But every idle tale of armies assembled, officers taken, no prospect of peace, &c. &c. that we have hitherto received from private letters, sent from ignorant natives in different parts of the Malabar coast, has turned out untrue. No wonder, however, that such reports gained credit from those, who, by their own letter to Bengal, express a hope that the death of Hyder will make an alteration in the Maratta treaty, if not then ratified at Poona ; and no wonder that the Bombay government catches hold of every ground, however slight, by which they expect to be able to retain their conquests. Such conduct is natural ; and no wonder, Mr. Chairman, that those gentlemen in this country, who are adverse to Mr. Hastings, adopt greedily, for facts, every report that
tends

tends to diminish the lustre of that great man's character. With respect to Mr. Hastings, I avow, with pleasure, my friendship for him ; — I think him the best servant the Company ever had, and that we owe our salvation to his wonderful and unparallelled exertions : — I have not a doubt that he will explain fully and satisfactorily his reasons for giving up Broach to Madajee Sindia : and so far from producing the Company sixteen lacks of rupees annually, I totally deny that it has ever produced them six, or any thing like it ; and I am convinced it was a wise measure to cede it altogether.

Major Scott.

Sir HENRY FLETCHER,

I RISE to offer a few observations upon what you have been pleased to state to the Court ; but before I proceed, I must beg leave to clear up a point which the Proprietors may misconstrue, if it is not now explained. You were pleased to observe, Sir, that Mr. Hastings had been mistaken in his judgment of two gentlemen whom he had patronized, in opposition to the orders of the Court of Directors. It might possibly be inferred, that Mr. Markham was one of those whose conduct Mr. Hastings had disapproved of : I hope I may be permitted therefore, in justice to the character of Mr. Markham, whom I am proud to call my friend, to declare, that Mr. Hastings has invariably mentioned that gentleman in terms of the greatest

greatest regard, and has particularly praised him for his abilities, the pointed attention he has paid to his orders, and to the duties of his station, while resident at Benares. It is true he has removed Mr. Middleton; and here, Sir, I think every candid man will allow, that the conduct of Mr. Hastings appears in the fairest point of view. Mr. Middleton was the person of his own choice in 1773. He continued resident at the court of Sujah Dowlah, till the majority of the Supreme Council removed him. He was again sent up to Oude, at the death of Colonel Monson, and was lately recalled, because Mr. Hastings thought he had not exerted himself as he might have done in the service of the Company. Surely, Sir, this is as strong an instance as can be given, that Mr. Hastings is not swayed by personal friendship, or any improper motives in his support of gentlemen in public stations. You have said, too, that you had long entertained doubts of the Maratta peace being effected, because Mr. Hastings had employed three negociators; one at Poona, Captain Watherston; another at Naigpoor, Mr. Chapman; and a third at the court of Sindia, Mr. Anderson. It is clear, however, that Mr. Hastings thought three negociators at least one too many, for he recalled Captain Watherston at the very time that he sent those instructions in a quill to Colonel Muir, which brought about a peace with Sindia. They were dispatched from Chunar, when his own person was in danger, and encompassed by the troops of Cheyt Sing. It does not appear, Sir, that the deputation of Mr.

Chapman

Chapman to Moodagee Boosla, impeded the negotiation of Mr. Anderson; on the contrary, it was of material service. Peace with the Marattas was the object to be attained; it might possibly have been accomplished at Naigpoor, had it failed with Madajee Sindia. You have said too, that latterly, indeed, you did expect peace would be concluded with the Marattas, on account of the death of Hyder Ally, and the general peace in Europe. You added too, that you had submitted your sentiments to the Directors upon it some time ago; but what was the period when you did submit these sentiments to the Directors? Was it not after the arrival of the Fox packet? And did not that packet bring an account that the peace was ratified at Poona the 20th of December, arrived in Sindia's camp the 14th of January, and was to be interchanged the first fortunate day? To be sure, Sir, it was a proof of superior sagacity, to foretel that the peace, under such circumstances, would take place. If the paragraphs were dated prior to the Fox's arrival, why were they brought forward at all, when, by the intelligence then received, you knew that our affairs were so materially altered? I thought this mode of proceeding was peculiar to the Select Committee. There was not the most distant idea in India of a peace in Europe, when the treaty was ratified on the 20th of December, nor even when the last accounts left Bengal; and as Hyder died on the 7th, it was barely possible that intelligence of his decease should have reached Poona before the ratification of the treaty. Be that
however

however as it may, hostilities with the Marattas had ceased eighteen months, owing to the separate treaty with Sindia, and the merit of that treaty solely and exclusively belongs to Mr. Hastings. You have observed too, that Mr. Hastings ceded to Sindia a territory producing sixteen lacks of rupees a year, and as a proof, you bring an estimate of the revenues of Broach. But though I am not versed in matters of revenue myself, yet my honourable friend behind me, (Mr. Baber) who perfectly understands the subject, will tell you, that it is from actual receipts, and not from estimates, that we must count our gains. If, Sir, you place against the receipts of the last year, the expence of the civil and military establishments necessary for its defence, I imagine you will find that Broach, instead of sixteen lacks, has not yielded you a nett profit of sixteen thousand rupees. Do you recollect that the Poona Committee engaged the faith of the Company for the cession of Broach to Sindia? And that although the Supreme Council denied the Company could possibly be bound by an irregular act, yet that Sindia, having saved our army, was entitled to particular attention from us. In consideration of the engagement entered into by the Poona Committee, and the services since performed by Sindia, the Supreme Council have entirely ceded Broach to him; and by so doing I think they have acted wisely; for the half of Broach, in our possession, the other half in the possession of the Marattas, collections of each party being frequently

quently in the same village, I am clear we could not have kept one-half of the district, without involving the Company in a future war. I entirely adopt Mr. Francis's sentiments on this subject, who has invariably opposed the acquisition of detached territories on the Malabar coast, because the revenues never can pay the expence of collecting them, and tend to involve us in constant disputes with the Marattas. With respect to the secret articles, I do not know the intelligence on which your knowledge of the fact is grounded; but this I know, that Mr. Anderson writes with the utmost confidence as to the sincerity of the Marattas; and I will pay more attention to him than to loose, imperfect information from Bombay, which has so often, and so fatally deceived us already. You seem to express your doubts, Mr. Chairman, of the validity of the peace, because two officers, who were on their way to Mangalore, were taken in a small vessel by the Marattas; but I desire to bring to your recollection, Sir, that a ship, called the Aurora, was wrecked upon the Malabar coast, soon after the signing of Colonel Upton's treaty in March 1776, and though one article of that treaty was, that the cargoes of ships so wrecked should be restored; no satisfaction whatever was received, and the Marattas declared that they could not controul the piratical free-booters who infested their coasts: a fact we all know. You will find, I dare say, Sir, that those officers and their property have been restored long ago, and ample satisfaction given for their cap-

tures, supposing they really were taken, for the intelligence is not positive.

I now come, Sir, to the revolution of Benares, and as the honourable and worthy gentleman, Mr. Moore, has called for your observations upon Mr. Hastings's letter, I must beg leave to state a few facts, which perhaps are not generally known to the proprietors. The revolution of Benares was, as you well know, Sir, eagerly seized hold of by the Select Committee in the month of April 1782, when a very imperfect account of the transaction was received in England. In the second report the committee say, "that Cheyt Sing was patronized by us, in consequence of services rendered to our nation by his father." I have searched with all the industry I am capable of, but have not yet been able to find of what nature these services were; but I do find from the following extracts from the records of the East-India Company, that the governor and council had seriously determined to dispossess Bulwant Sing, the father of the late Rajah, of his country. The Governor and Council, in their instructions to Major Monro, dated the 6th of November, 1764, says, "With respect to Bulwant Sing, the double part he acted in the beginning of the war, sufficiently warns us, to put no confidence in him; and, therefore, if he has not already been permitted to join you, or you have entered into no engagements with him, we would have him dispossessed of his country, and his person, if possible, secured." April 1, 1765. "This man acted from the first so wavering

wavering a part, that we wished to have no connection with him; but rather that his person should be secured, and some other placed in his Zemindary, who was more to be relied on; but Major Monro having committed him to a treaty, we consented to abide by it. In this also he failed; and therefore it was our intention to have trusted him no farther, which sentiment is expressed by the General in his letter from Cossimbuzar, where he points him out as one by no means to be depended upon. After Bulwant Sing had deserted our army, in violation of the treaty, it was our wish, that the country had been placed in the hands of some person in whose fidelity we might have had some dependence, and whose troops might have been an addition to our strength, in case of a renewal of the war; but as he had been again received on the faith of promises, though we wish none had been made till our sentiments were known, we shall abide by them."

As Bulwant Sing was situated between two powerful states, his indecisive and treacherous conduct is not to be wondered at; but I mention it, in contradiction to the report of the Select Committee, which states, that he had performed services to our nation, without specifying what those services were. They must have been considerable, to have counterbalanced the instances of insincerity and disaffection which I have mentioned.—The late Lord Clive thought it, however, consistent with true policy to protect Bulwant Sing from the vengeance of his old

master Sujah Dowlah, who was compelled by the treaty of Allahabad, to continue him in the possession of the Zemindaries of Benares and Ghauzipore. When Bulwant Sing died in 1770, our government interfered in the behalf of Cheyt Sing, his father's favourite, though, as Capt. Harper observed at that time, he was not, according to the Hindoo Laws, the lineal heir, being born by a woman of a low cast, and he was in fact confirmed in possession of the Zemindary in violation of the right of the present possessor, supposing the Zemindary to have been hereditary in the family of Bulwant Sing, a fact which I have never been able to ascertain, though the Select Committee scruple not to assert, that it had descended to him from many generations. Cheyt Sing continued in the peaceable possession of the Zemindary from 1770 to 1775, when the sovereignty of Benares, without any conditions specified in his favour, was transferred to the Company; and this again proves another error the Select Committee have fallen into, who say that it was transferred, subject as heretofore to the entire rule and management of Cheyt Sing. When I say Cheyt Sing was continued in the peaceable possession of his Zemindary from 1770 to 1775, I beg to observe, that in that period he was called upon repeatedly for military assistance by the Vizier, and that he constantly furnished it independent of his annual rent, in conformity to the custom of the Mogul empire, as will appear by the following extract of a letter from Cheyt Sing to the Governor General. "The great burthen

burthen of expence I laboured under from the time of the decease of the late Rajah, till the expiration of the Nabob Vizier's authority over me, is well known to God and your Excellency." In this letter Cheyt Sing undoubtedly alludes to the military aid he was bound to furnish the Vizier. From 1775 to 1778, Cheyt Sing continued an obedient subject to the Company. The Governor General and Council yielded to him the Cutwally and the Mint; but told him, that if he debased the coin, he should be subject to a severe fine, and to *any other penalty they might think proper to impose*. The Supreme Council aware of the importance of Benares, wrote as follows to the Court of Directors on the 7th of August, 1775: "You will observe, that the cession of the whole Zemindary of Cheyt Sing, with all the *powers and rights annexed to it*, is made immediately to the East-India Company." Now, Sir, I would be glad to know what meaning you would assign to the terms *powers and rights*, and what they could mean, but the rights of sovereignty, of which the power of calling forth the military in time of need is surely the first and the most important — The letter I allude to was signed by all the Council, and General Clavering. Colonel Monson and Mr. Francis in a separate letter say, that to them is due the credit of obtaining this important cession for the East-India Company, entire and complete, and not held as Bengal is, by grant from the Mogul, as Duans.

I most

master Sujah Dowlah, who was compelled by the treaty of Allahabad, to continue him in the possession of the Zemindaries of Benares and Ghauzipore. When Bulwant Sing died in 1770, our government interfered in the behalf of Cheyt Sing, his father's favourite, though, as Capt. Harper observed at that time, he was not, according to the Hindoo Laws, the lineal heir, being born by a woman of a low cast, and he was in fact confirmed in possession of the Zemindary in violation of the right of the present possessor, supposing the Zemindary to have been hereditary in the family of Bulwant Sing, a fact which I have never been able to ascertain, though the Select Committee scruple not to assert, that it had descended to him from many generations. Cheyt Sing continued in the peaceable possession of the Zemindary from 1770 to 1775, when the sovereignty of Benares, without any conditions specified in his favour, was transferred to the Company; and this again proves another error the Select Committee have fallen into, who say that it was transferred, subject as heretofore to the entire rule and management of Cheyt Sing. When I say Cheyt Sing was continued in the peaceable possession of his Zemindary from 1770 to 1775, I beg to observe, that in that period he was called upon repeatedly for military assistance by the Vizier, and that he constantly furnished it independent of his annual rent, in conformity to the custom of the Mogul empire, as will appear by the following extract of a letter from Cheyt Sing to the Governor General. "The great burthen

burthen of expence I laboured under from the time of the decease of the late Rajah, till the expiration of the Nabob Vizier's authority over me, is well known to God and your Excellency." In this letter Cheyt Sing undoubtedly alludes to the military aid he was bound to furnish the Vizier. From 1775 to 1778, Cheyt Sing continued an obedient subject to the Company. The Governor General and Council yielded to him the Cutwally and the Mint; but told him, that if he debased the coin, he should be subject to a severe fine, and to *any other penalty they might think proper to impose*. The Supreme Council aware of the importance of Benares, wrote as follows to the Court of Directors on the 7th of August, 1775: "You will observe, that the cession of the whole Zemindary of Cheyt Sing, with all the *powers and rights annexed to it*, is made immediately to the East-India Company." Now, Sir, I would be glad to know what meaning you would assign to the terms *powers and rights*, and what they could mean, but the rights of sovereignty, of which the power of calling forth the military in time of need is surely the first and the most important — The letter I allude to was signed by all the Council, and General Clavering. Colonel Monson and Mr. Francis in a separate letter say, that to them is due the credit of obtaining this important cession for the East-India Company, entire and complete, and not held as Bengal is, by grant from the Mogul, as Duans.

I most

I most earnestly entreat the attention of the Court to the following circumstances.

Our army continued on a peace establishment, from 1775 to July the 9th, 1778, and no military assistance was demanded from the Rajah. On that day intelligence being received of a war with France, it was determined by the Supreme Council to encrease our army very considerably, and to form a marine establishment for the defence of the Ganges — Upon considering from what funds these additional expences were to be defrayed, Mr Hastings proposed, “that Cheyt Sing be required in form, to contribute his share of the burthen of the present war, by consenting to the establishment of three regular battalions of Sepoys, to be raised and maintained at his expence.” Mr. Francis acquiesced, but thought the demand should only be continued during the present war — Mr. Wheler agreed; wishing to avoid the question of right — Mr. Barwell agreed, supposing an acquisition of revenue and military force to have been annexed to the grant of the Zemindary. Mr. Hastings then adds, “He deems it a right inherent in every government. to impose such assessments as it judges expedient for the common service and protection of all its subjects.” And adds, “*we are not precluded from it by any agreement subsisting between the Rajah and this government.*” The Rajah was written to, promised obedience; but having afterwards eluded his promise, the subject was again brought before the Board on the 28th of September, 1778: when

when Mr. Hastings observed, "the evasive conduct of the Rajah was owing to his having been advised to procrastinate payment, on a supposition that a total change would take place in the government of Bengal, which would produce a repeal of the demand." On this occasion the point of right was fully discussed; Mr. Francis expressed his doubts as to the justice of the demand, and he quoted a paragraph of Mr. Fowke's instructions, who was directed to inform the Rajah when he was invested with his Kellaut, "that so long as he adhered to his engagements, the Company would never demand any augmentation of the annual tribute which might be fixed." Mr. Hastings's observation in reply was very remarkable; he says "the quotation from Mr. Fowkes' instructions related only to the *fixed and annual revenue*, but could never be understood to *preclude that right, which every government inherently possesses, to compel all its dependencies to contribute, by extraordinary supplies, to the relief of extraordinary emergencies.* The Board then determined to enforce the demand; and the money was paid. The minutes of these proceedings were transmitted to England; the subject was mentioned in the general letter, and the whole were received at the India House in April and May 1779. It is something extraordinary that a subject of such importance, in which there had been a difference of opinion, should never have drawn a line from the Directors. What is the conclusion — that they approved of the demand, but not being at that time, in the habit of expressing their

their approbation of any act originating with Mr. Hastings, except that single one of *marching a detachment across India*, they were silent on the subject. Had the Directors thought the demand unjust; had they said, we differ from the Governor General's idea of the rights of sovereignty, and we think you have no claim upon Cheyt Sing, except for his annual tribute, the revolution of Benares could not have happened. The fact is, as you well know, that Acquiescence at that time was Approbation—But what follows is still more extraordinary: On the 19th of July, 1779, the war still continuing, Mr. Hastings proposed “that Cheyt Sing be again called upon to contribute his five lacks to the support of the increased establishment.” The motion was unanimously agreed to, the Board being then complete by the arrival of Sir Eyre Coote. Cheyt Sing positively refused to pay the money; and Sir Eyre Coote, by order of the Board, directed two battalions of Sepoys to march to Benares to enforce the payment; when these troops arrived, the cash was paid, together with twenty thousand rupees, the extra expence of marching the detachment from Dinapore to Benares.

Intelligence of this extraordinary event was sent to England on the 14th of January, 1780. It arrived in October, and seems to have excited as little surprize here as it did in Bengal; for not the smallest notice was taken of the transaction by the Court of Directors; though the Governor General and Council, in their general letter, express their astonishment

at

at the refractory conduct of Cheyt Sing—I beg the Proprietors will attend to this circumstance.

On the 22d of June, 1780, the war still continuing, Mr. Hastings again proposed “that Cheyt Sing should be applied to for five lacks of rupees.” It was unanimously agreed to. He promised instant compliance; and did pay one lack of rupees, but he delayed the payment of the remaining four lacks; and two lacks and a half of the money, the final balance, was not paid till the 18th of October, after a detachment had been ordered to Benares to enforce the payment. The account of this year’s transactions was sent to England on the 29th of November, 1780, and received at the India House the 18th of October, 1781. I have never heard, Sir, that a single gentleman behind that bar has entered a protest against the proceedings of Mr. Hastings and his Council, to Cheyt Sing.—Will you then charge Mr. Hastings with being the sole cause of the revolution at Benares? If the demand (as most assuredly is the case) was just, it was right to enforce the payment of it—but if there are any gentlemen in the Direction who were *then* of a different opinion, how can they answer to the public in not bringing so important a point into full discussion, when a demand (according to the present doctrine) was made in direct violation of public faith, and enforced by military execution? Let me once more intreat the attention of the Court to this important subject, and to a circumstance, which, no doubt, will surprize them.

L

I think

I think the Chairman has informed us, that of the five resolutions which Mr. Hastings has so solemnly denied to be founded in truth, the second passed the Court seventeen to two. In that resolution the Court of Directors say, that the Bengal government pledged itself that no other demand should be made upon Cheyt Sing beyond the payment of his stipulated tribute. Good God! Sir, are you aware of the conclusion to be drawn from this confession? To any or all of these seventeen gentlemen making such a confession, who were in the Direction in the years 1779, 1780, and 1781, do I attribute the revolution at Benares; and not to Mr. Hastings. He who solemnly asserting, Sir, on the 9th of July, and the 28th of September, 1778, that we were not prevented from making the extra demand upon Cheyt Sing by any engagement subsisting between us; who acting up to that solemn declaration, persisted in enforcing it for three years by military execution; who insisting upon it, that it was a right inherent in every state to impose such assessments on the subjects of that state as were necessary for the general defence; was neither to be bribed nor persuaded to relinquish what he deemed a just exaction—He, I say, Sir, acted from a firm conviction that he was right; and from 1778 to the present hour, his language has been uniform and consistent—Then what shall we say to you, Sir, and as many of the seventeen gentlemen as were Directors in 1779, 1780, and 1781, who conceiving that Mr. Hastings had so unwarrantably persisted in an unjust and oppressive demand; in a demand

demand which brought on a rebellion, and ended in a revolution, yet never once protested against so glaring an act of injustice and oppression, or ever expressed the smallest disapprobation of his conduct? Shall we not say, Sir, that from the moment Mr. Hastings's conduct was made known to you and those gentlemen, who now assert that the government of Bengal has been guilty of an act of gross injustice, by extorting from Cheyt Sing what they could not have demanded without a violation of public faith; the responsibility of the measure rested with you? and that by not condemning his conduct, you caused the massacre of our troops — you caused the rebellion of Cheyt Sing — and you are the authors of the revolution of Benares. If the demand of extra aid, in time of war, had not been made for three successive years, the revolution of Benares would not have happened; nor would Mr. Hastings have persisted in it, had seventeen, or thirteen Directors commanded him to desist; and assured him, that according to their construction of our engagements, the demand was improper. If the business of Benares is not entered into, I shall say no more on the subject; but I am ready to meet your observations on Mr. Hastings's letter; and I shall now only add, that the Directors, if they act with justice, will repeal their second resolution; and then the only point to consider will be this — Was the fine of fifty lacks of rupees, which Mr. Hastings proposed to levy upon Cheyt Sing, too great for his offences. Mr. Hastings himself has brought forward his intention of fining Cheyt

Sing, who never did or could know of it; and I am ready at any time to meet this question.

You have been pleased, Mr. Chairman, to treat with an air of levity and ridicule Mr. Hastings's mode of negotiation — I have read the proceedings relative to the Maratta peace, from the instructions sent from Chunar to Colonel Muir, to Mr. Anderson's last letter; and I defy the greatest enemy Mr. Hastings has upon earth to read these valuable and important papers, without paying that tribute of praise to the Governor General, to which he is entitled, for the vigour, the firmness, the spirit, and the ability displayed through the whole course of the negotiation.

I do not mean to fatigue the Proprietors by reading extracts from the general letter; but having read it myself, I can assure them that it contains a full and complete explanation and justification of Mr. Hastings's conduct, as to those points which have been so severely animadverted upon in the Ninth Report of the Select Committee.*

Sir *Henry Fletcher* rose again, after Major Scott, and begged the indulgence of the Court while the

* See the paragraphs 50, 66, 67, 90, 91, 92, 93, 94, 99, 100, 125, 126, 127, 128, 129, of the General Letter received by the Surprize packet, from Bengal.

Clerk read certain paragraphs of a letter that he had brought forward for the consideration of the Court of Directors, and which, if approved by a majority, was to make part of the next general letter to Bengal. These paragraphs were accordingly read, and appeared to make a great impression upon the Proprietors, from the captious, unjust, and ungenerous reflections they contained on the conduct of the Governor General and Council, relative to the cession of Broach. When the Clerk had done reading—Mr. Sullivan rose in great emotion, and earnestly entreated the Proprietors to remember, that what had been read was the composition of the worthy Chairman, at least, that he had brought it forward—It neither had, nor could have, the sanction of the Court of Directors. That he had never read a letter of so pernicious a tendency; and he declared most solemnly, that if those paragraphs passed, there would be a third Maratta war—In the first place, the Chairman enters into a critique upon a transaction, of which, he confesses, all the materials are not before him. In the next place, he accuses the Supreme Council of cheating and deceiving the Peshwa; and lastly, he asks for that information, which he ought to have acquired before he attempted to animadvert upon the transaction; and when that information was received, he (Mr. Sullivan) was convinced, every difficulty would be as effectually cleared up in the mind of the Chairman as it then was in his own.

Governor

Governor *Johnstone* pressed the Chairman very much for an explanation, whether the three lacks relinquished by the 4th article of the treaty, and the lands ceded by Guickowar, mentioned in the 5th article, were not included in the account of the sixteen lacks collected by the establishment of Broach? To this the Chairman could give no distinct answer. But Mr. Hunter, one of the Directors, who had long been resident at Bombay, and who has generally possessed the most accurate advices, explained the matter to the Court, by stating, that six-tenths of the sixteen lacks had been ceded by the treaty; that there remained only seven lacks with the Company; that out of these seven lacks, one half had been promised to Sindia, and the other half to the Peshwa, at the convention of Worgaum; that it is true the Peshwa had relinquished the claim to his half by the late treaty; so that there remained three lacks and a half at the disposal of the India Company. Governor Johnstone then observed, that as the Chairman himself had acknowledged the civil establishment at Broach to cost three lacks, and the military three lacks more; supposing, upon the dominion being narrowed, our establishment to be brought to the lowest, still it must exceed five lacks; and therefore all we gave away, even by the Chairman's account, was one lack and a half — and this to secure the friendship of Madajee Sindia, the most powerful Chief in the Maratta empire; who, according to Mr. Hastings, had acted in the most steady, firm, and friendly manner throughout the whole negotiation. Besides, by this relinquish-

relinquishment, we had removed the seeds of future discord ; which were sown in a very plentiful soil indeed, if the English and the Marattas were to collect joint tribute in the same district, nay in the same villages. — The fate of Mr. Hastings is peculiarly hard — If he acquires dominion by conquest, upon aggression, he is stated to the world as acting from the lust of inordinate ambition and rapacity ; if he yields the smallest territory in the spirit of peace and conciliation, and with a view of preserving those blessings, and rendering them permanent, he is held forth as dealing out kingdoms in profusion, without any regard to the emolument of the Company — but the one charge and the other are equally baffled, upon a close investigation. Governor Johnstone then proceeded to remark, with more warmth than he had shewn during the preceding part of the debate, that although he had been averse to calling the General Court, thinking the actions of Mr. Hastings in themselves greater than any eulogium that could be bestowed on them ; and that the reproach of his enemies, and the reproach of public ministers, if they were his enemies, would fall much greater upon both, by taking no notice of the late advices ; yet he now freely confessed his error — He saw why the opponents of Mr. Hastings were averse to the General Court ; he saw also the propriety of its interference. When paragraphs, such as those which have been read, could be framed with such a captious, cavilling spirit ; conceived in language so unworthy the Court of Directors, and so unfit to be sent to the Governor
General

General of Bengal at any time when he held such a commission; and much more after transmitting accounts of events that must command the gratitude and admiration of future ages, if it could not extinguish the malicious spirit of those who endeavoured to vilify his character by the grossest misrepresentations, in scenes with which the public at large are not intimately acquainted, where the transactions were so complicated that few could unravel them. That it became more necessary now to enforce the motion, and even to invite opposition, which he before deprecated, that the merits of the question might be tried by the most solemn decision.

Sir Henry Fletcher defended the letter, thought the style was decent and proper, and that the Directors had a right to demand an explanation in the terms he had used.

Mr. Watson.

Sir HENRY FLETCHER,

I SHOULD not have intruded upon the patience of the Court, in this stage of the debate, if I did not think it exceedingly for the interest of the East-India Company, and equally for the honour of the British name, that the proposed vote of approbation and thanks should pass unanimously. All the weight of argument, upon the substantial merits of the question, seems to me to have been on one side only,
 2 and

and therefore I will not repeat what was urged so ably by the honourable Governor who opened the debate, and by my learned friend who seconded the motion, least, in the repetition, I should exhaust the spirit of their remarks. What has occupied the attention of gentlemen for the last half hour, is a very light feather indeed in the opposite scale. Let us advert for a moment, to what the real topic of discussion is ; I take it to be this : Whether Mr. Hastings, supported by the other members of the Supreme Council, was the cause of those effectual supplies to the Carnatic, which enabled the forces and friends of the East-India Company to hold out, till the face of affairs was altered by the Maratta peace ; whether he was the author and framer of that peace ; and whether that peace be such, under all its circumstances, as to deserve censure or praise.

By the turn which the debate has taken, the whole subject matter of this enquiry is narrowed to the last question only. I have not heard it disputed, that for the large supplies sent to Madras, to the amount, if I mistake not, of about three millions sterling, we are indebted to the spirited exertions of the Governor General and Council of Bengal. No man has this day raised a suspicion, that uncommon ability and exertion have not been uniformly displayed by the Governor General Council, during the late hostilities in India ; no man has denied the effectual support received from them, under the most pressing difficulties, towards carrying on the war in the

M

Carnatic.

Carnatic. Indeed it seems undeniable, that their conduct upon the most trying occasions, that of the Governor General in particular, has displayed such wisdom, penetration, and magnanimity, as do not usually fall to the lot of mortals. It has not been contradicted that the successes of Hyder's irruption were checked by that great man; or, that in all probability, the completion of those exertions will annihilate the dangerous power of the French, and of those natives whose enmity to us has been encouraged by their alliance all over India. I have not heard a doubt started from any quarter, but that the conclusion of this treaty of peace with the Marattas, at so critical a period, has nearly compleated the triumph of our arms in India, or has at least totally prevented the triumph of those of our enemies. I have not heard it doubted, much less have I heard it denied, that the plan of peace was laid by Mr. Hastings, that the definitive conclusion of it was obtained by his perseverance, and the able negotiation of Mr. Anderson, who was chosen out by him for this great work. I have, indeed, with some amazement, heard it imputed to Mr. Hastings, that this was not the only plan which suggested itself to his active mind. I have, with increase of astonishment, heard it contended, that therefore success was not to have been expected from his superabundant endeavours, and accordingly that our thanks for his having accomplished that success, may, with reason, be delayed. Thus, Sir, we are desired to make the activity of his exertions, not barely an apology,

apology, but a reason for the slowness of our praise. Yet, admitting the utmost that is, or can be contended; admitting that it was not a wise plan laid by Mr. Hastings for General Goddard to lead his army from Bengal, through the very heart of the Maratta dominions, and so attended, to treat for peace at Poona, the capital. Granting that this negotiation would not have been successful, even if the convention of Worgaum had not operated, like a chilling frost to nip it in the bud; granting likewise that the Rajah of Berar was an improper person to have been treated with; that it would have been impolitic and unjust to place him at the head of the Maratta government; and that Mr. Hastings was at one moment weak enough to think of proposing this wrong to be done to the present Peshwa, as the condition of obtaining terms of peace in other respects honourable. All these things being allowed, what has been, or what can be made of them as reasons for postponing our vote of commendation for the peace actually obtained, and the other honourable services specified in the motion, why, nothing more than this: that two treaties being opened, besides that which has been finally concluded, once afforded reason for suspecting that no peace would soon be ratified. But is it, Sir, perfectly fair to argue from hence, that gratitude should sleep, now so glorious a peace is in fact concluded, in point of time so early, and on terms so advantageous, beyond our most sanguine expectations? Is it right to sift the active workings of this great man's mind, to

scrutinize the trials made by him in different quarters, and discovering (what he had before discovered) that the obstacles to some of them were so many, as to render success doubtful, therefore, to deny him commendation for ceasing to pursue unsuccessful endeavours too far, and for grasping at the astonishing idea of compelling Madajee Sindia to be the mediator and guarantee of permanent tranquillity, by sending the vigour of war into the heart of this powerful chief's dominions, by attacking his capital, by calling his whole attention to his own immediate danger, and thereby convincing him, that unless by suing for peace, he could not save himself from ruin, and his name from being obliterated from the roll of Maratta chiefs, except when Mr. Hastings should be mentioned as the cause of its being expunged? Ought the Governor General to be blamed for this, especially when, upon Sindia's desiring terms of peace for himself, by the wisest exercise of good policy, peace was granted to him upon condition of his becoming the mediator with the Poona Durbar, and with the other powerful chiefs of the Maratta State, for accomplishing a general pacification? Let us first see if it be possible to fix a standard in our own minds, by which to measure such great conceptions before we begin to arraign them in the gross, or to develop their parts, in order to find little faults with some of them. And respecting which faults, if they be such, when all is said, the truth turns out, that they are, at the utmost, such slight deviations from perfection

I

itself,

itself, as only serve to mark that Mr. Hastings is still a man; for to err is the fault of human nature. But the errors of Mr. Hastings, in this business of the Maratta peace, appear to me excessively trivial, when compared with those wonderful exertions of human intellect, and that steadiness to his point, by which it was at length perfected, and the ratification finally exchanged, upon terms that must perpetuate his abilities and name in all parts of the world whither the annals which enrol the transaction may reach, down to the latest hour of their preservation. I did hardly expect to hear the European treaty of peace, the sickness or the death of Hyder, or the intervention of any other circumstances that might possibly concur in forwarding this glorious peace, made use of in argument to diminish from the merit of Mr. Hastings in getting it accomplished. As the matter strikes my mind, one peculiar merit which distinguishes Mr. Hastings as a compleat statesman in this business is, his catching at all favourable circumstances as they arose, and improving them to the great purpose he had in view. And before I can be qualified to find fault, I must have my mind raised to the elevation of his. I know, indeed, that little minds can censure, what, from human imperfection, the greatest cannot mend. I refer now to the manner of his attaining the object at which we have so much cause to rejoice; and do not refer to any distinct acts of Mr. Hastings's administration. I am not his general advocate; I think he has his errors, and great ones. When I saw the dreadful mischiefs
of

of such a war as was carrying on with the Maratta country, considering him as the author of that war, no man was more free to censure him ; and I must see the evidence of his being, or not being so, in a very different light from that in which it ever has appeared to me, and yet does appear to me, before I can retract that censure. But let not this prevail with me to refuse him my warmest gratitude and applause for the Maratta peace. No man has denied to me that this peace is peculiarly his — exclusively his in the planning — and carried on to its completion under his firm instructions, by his chosen instruments. I blamed, and still do blame him, for the war ; but I think him entitled, in a tenfold degree, to my warmest thanks for this peace. I will examine a little more particularly whether he is so : and the rule I will go by shall be the only objection which I understand to be now relied on. Indeed we were told that a secret article was signed, between Sindia and the Peshwa, on the very day that the definitive treaty of peace was interchanged. But we are not told that it is an article injurious to us ; and it may be some matter relative to their mutual interests, as contradistinguished from the other Maratta powers. This, however, and an account of the capture of two officers by the Marattas, in their way to General Matthews, since the signing of the articles, (which must have arisen from some mistake ; but which, if it should turn out as at present related, can hardly be considered as an infraction of the treaty) were slightly mentioned, as reasons for postponing the

the vote now under consideration. But they seem to be given up. And the only objection persisted in is, that by way of bargain with Sindia, the half of Broach was promised, upon condition of his securing the peace; and that on the day of its final settlement the whole was, by a secret article, actually given up to him, and not merely the half stipulated for. This introduced some discussions about the real value of Broach; estimates have been read; actual receipts have been stated — Whether half was not ceded to the Marattas by the treaty itself, and whether the Mogul half was not all we had to give afterwards, and consequently all that was given Sindia by the secret articles, and whether even this was not his before, according to the stipulation made with him for saving our Bombay army, have been started as questions, upon which the affirmative has been presumed, remains uncontradicted. As I understand the fact, the Mogul share of the city of Broach is by the treaty retained to the Company, exempted from every claim of chout. — The Maratta country of three lacks near Broach as ceded to us by Colonel Upton's treaty, is relinquished to them again — and the Guickwar lands are restored to the two Guickwars and to the Peshwa, to be apportioned according to the real truth of their respective original claims. And I likewise conceive that the Mogul share is the *douceur* given to Scindia for his agency in the peace. But I will not consider the matter upon these grounds. I love to meet an objection fairly, and to examine it upon its broadest pretensions.

sions. Whether therefore sixteen or six lacks be the real value of the city and territory of Broach — whether the whole or the half of this; the Mogul or the Maratta share, be which it may, or both be the price paid for the Maratta peace, shall make no part of my argument. But is this peace, under all the other circumstances of obtaining it, upon the whole, too dearly purchased at any price alledged to be given for it? This is now the only question. I have heard it often said, that any peace in India is better than any war. The point has been discussed upon records, with uncommon ability, between Mr. Hastings and a gentleman of whose integrity I entertain the highest opinion, whose minutes do equal honour to his head and heart, and for whom I have the highest personal respect. I have also very frequently heard the same thing asserted in this country. And although it is not perhaps a proposition universally true, in the most absolute sense, yet I have never entertained a doubt, that any peace likely to be lasting, procured upon any terms, would be better than the late actual war which threatened our total extirpation from India, or at any rate endangered our settlements both on the Coromandel and Malabar coasts. What, Sir, have the Governor General and Council obtained to relieve us from such apprehensions? A peace, highly honourable and beneficial; at the price, if you please, of giving up all the Broach revenues, whatever the amount of them may be. A peace in which although Bassein is delivered up to the Peshwa, Salsette, and other places, of greater importance to the Company

pany than Bassein, are retained in our possession — A peace wherein the respective allies of the two parties to the treaty are included with them ; except that Hyder Ally, before in alliance with the Peshwa, should, now at the risk of forfeiting that alliance, be made to relinquish and restore to the Company, and their allies, all possessions taken by him from either. In short Hyder was by the terms of this peace to be compelled to abstain from his hostilities — And all the Chiefs of the Maratta State are included in the treaty, and bound by it — former privileges of trade are restored on all sides — the enemies of one are to be holden enemies of the other — Madajee Sindia, who was the mediator, became the guarantee of this treaty, thus accomplished ; and the question now is, whether at the price paid to him, alledged to be a city and territory of sixteen lacks, the purchase is too dear — My answer is, that the annual expences of your army to carry on the war, prodigiously exceeded the largest estimate that has been named as the consideration given for the peace ; and your all was at stake ; every possession you have was in hourly risk and danger. But before the ink of the treaty was well dry, one of the articles had wrought its effect. It will be recollected that Tippo Saib succeeded to the command of the Mysore army, upon the death of his father, Hyder Ally, in December last, the very month in which this treaty (that had been concluded between Madajee Sindia and Mr. Anderson in May, and ratified by the Governor General and Council in June) was completely ratified by the ministers at

Poona; Tippo was pursuing the footsteps of his father, but was so suddenly checked in his career, by the article which expressly named Hyder, that in March, within three weeks after the Definitive Treaty was finally interchanged with public formalities, he was actually retreating with his army home to Myfore, with all possible expedition. We understand it to be indubitably certain, that on the 13th of March our troops took possession of Arcot, for the Nabob, within an hour after it was evacuated by Tippo Saib. We know by the same authority, that he no longer holds Arneè — in a word that he has left the Carnatic — and that the full and final settlement of peace with the Marattas, and most peculiarly and emphatically this article in the alliance with them respecting Hyder, had an instantaneous effect upon Tippo Saib, his son and successor, equivalent to a total overthrow. The Maratta Ministers and Chiefs agreed to compel him to make peace; and upon his refusal, to join in the requisite measures for his utter ruin. He instantly felt the effect of this alliance between them, and as suddenly retired. As to this one article, therefore, we have decisive knowledge of the instantaneous good effect of the treaty. Can we then with the smallest propriety suspend our vote of thanks, with the avowed purpose of waiting to know the effect of the treaty, and no other? This would be a tacit disapprobation of the whole of this article, as well as the rest; it would weaken the confidence of our friends, raise the spirits of our enemies, and among other mischief-

vous consequences, provoke the former to with-hold their assistance, and the latter to renew their attacks. Such a waiting as this for beneficial effects from the peace, and a suspension of our thanks till they all take place, may make a change in this instance of Tippo — may prevent the other good effects entirely, and must necessarily retard their progress, which it is alike for our interest and our honour to accelerate. But notwithstanding we have been barely desired to suspend our vote of praise, the only argument that is relied upon, implies that a vote of censure ought to be passed; and this is the more manly way of putting the case: — the purchase of this peace is more than it is worth; or, in the mildest form of considering the subject, better terms might have been obtained; and therefore the large revenues of Broach ought not to have been given up, as the price of it, to the mediator and guarantee. In discussing this matter, one thing ought to be considered; that in all negotiations of this nature there must be some inducement to a compliance on each side, or they never can terminate in an agreement. In this instance I have said before, that, admitting, for the sake of argument, the city and territory of Broach to produce sixteen lacks, though I take the fact to be most decisively otherwise) and admitting the whole of this to have been reserved to the Company by the treaty, (though upon the face of the treaty itself I take this not to have been so either) and that by a secret article with Sindia, voluntarily offered, after the ratification, beyond the bounty stipulated for, the whole of this revenue

is confirmed to him, by as permanent a tenure as the definitive treaty of which he is the guarantee; all this amounts to but a small proportion of the sum annually expended in the war. And therefore allowing this to be really the price, I should not think it wantonly squandered away, but the termination of the war would, in my opinion, be purchased at a cheap rate: for it is no less than salvation from utter destruction. It bids fair to be as permanent as it is extensive; or if it should not be so, the blame will be most probably due to ourselves. But then we have been asked, What will the Peshwa, the Ministers, and other Chiefs say, when they find that by the secret article with Sindia, their share of the revenues of Broach is given over to him? I can only answer, that if by the definitive treaty of peace the Guickwar country is given back to its former owners, and whatever was formerly a part of the Peshwa's territories is restored to him, this secret article cannot operate upon either, but extends only to the Mogul share, which the Company were to possess, and therefore might dispose of, without participation or claim of any kind; on the other hand, if by the definitive treaty the whole is reserved to the English, then whether they use it themselves, or give it up to another as a reward for equivalent services, no just offence can be taken by the other parties to the treaty.

Upon the whole, Sir, if Mr. Hastings and the Council General deserve our thanks at all, I can see no objection against agreeing to the entire resolution proposed.

proposed. The latter part, in particular, appears to me the necessary result of the former; since it would be the height of folly to commend the Governor General for what he has done, and at the same time to wish for his recal before he has compleated the work. To request his continuance in the government, and at the same time to with-hold from him our most vigorous support, would be still a more extreme degree of folly, and would favour so much of dislike to the admirable peace he has obtained, as to take away all confidence which Sindia may have in us, or our nation, to betray total want of public faith, and to endanger the renewal of the Maratta war, accompanied by fresh irruptions from every power of India that heretofore has been inimical to the English, or may be desirous to drive us from our settlements,

This is my sincere opinion. I do not know how to argue upon it more at large, after it has been discussed with so much greater ability. I cannot feel the force of what has been urged against it, and I think that I have considered the objection dispassionately. I will not fatigue the Court by repeating those arguments which have been urged in its favour, with infinitely greater abilities than I possess. My only motive for rising was to enforce the remark with which I began, and in the propriety of which I am confirmed by every thing that I have heard, that it is equally for our interest and our honour to pass this resolution unanimously. It may be collected,

collected, from what I have already offered, that I am not misled into this sentiment by any undue predilection in favour of Mr. Hastings. I am actuated merely as a public man, and purely upon public motives. I am very far from commending all the actions of his life, or approving all the measures of his government; but I will not, in this hour of rejoicing, undertake the invidious task of bringing forward any matter extraneous to the immediate question before us, which might be an alloy to the praises justly due to the astonishing success of his wonderful exertions. To deny him these praises would be to dishonour myself. I am not his general panegyrist; I have no personal attachment to him; and if I feel any prejudice, it is against him; but were I capable of the most mortal enmity, and he the object of it, I hope that I should not even then be so deficient in the first rudiments of public virtue, as to refuse my vote of commendation and applause, to him and his colleagues, for such distinguished services, so gloriously performed.—If I were, my case would, according to my poor apprehension, resemble that of some captious mortal, refusing to thank Heaven for the vivifying power of the sun, after the storms of winter, because spots have been discovered on its surface.

The question was now called for from all parts of the court; but Mr. Edward Moore being upon his legs, Governor Johnstone earnestly desired to be heard, to order: He said he entreated the Proprietors

to

to listen with the utmost attention to what the honourable and worthy gentleman, Mr. Moore, should say. Let them consider the advantages their enemies would take of them, were they now to call for the question. The present meeting which in point of numbers, and of the honourable characters who filled the court, was as respectable an assembly as had ever been convened in that or any other place, would be termed a factious, disorderly assembly. He therefore begged the Proprietors to attend to whatever might fall from the honourable gentleman, or any other Proprietor who was an enemy to the motion.

General Ogletborpe.

I BEG, Sir Henry Fletcher, to be heard, to order: The debate has taken so extraordinary a turn, that I entreat every gentleman present will listen with attention to the worthy Proprietor. The point now is, whether you approve or disapprove of the Maratta peace; and I am exceedingly anxious to obtain every information I can on that important subject—as a worthy Director has said, “if we approve of the Chairman’s proceedings, we shall have a third Maratta war.”

Mr.

Mr. Moore.

Governor *Johnstone* having introduced his motion of thanks to Mr. Hastings, without reading any papers or extracts from the Company's records, or adduced any premises whereon to found conclusions to warrant his motion, Mr. E. Moore rose and expressed his surprise at the Governor's mode of proceeding, and wished to have such documents produced, as might enable him and the Court to form a judgment on the very extensive and *complicated* question before them. This caused Governor Johnstone to say, he meant, before he sat down, to call for certain extracts and papers to be read short, for the information of the court. Mr. Moore complained of the Governor's retrograde method of proceeding, in first introducing his motion, telling the Proprietors it could not possibly meet with a dissentient voice; and then calling for a few *detatched paragraphs* in the Company's dispatches, to be read short, when, in order to judge of the propriety of the question before them, it was necessary to ransack the Company's records ten years back. Mr. Moore said, calling for *detatched parts*, and not the *whole of the proceedings* against Cheyt Sing, was one part of Mr. Hastings's complaint against the Court of Directors, in his letter of the 20th March, 1783; because, without *the whole* proceedings had been before the Directors, Mr. Hastings tells them it was impossible they could judge of his conduct in that business.

From Mr. Hastings's own doctrine, it shews how necessary it is to have the *whole* history of Mr. Hastings's conduct in the Maratta war before the Court, before they can possibly be ripe to judge of a motion of thanks to him for concluding the Maratta peace. He observed, that in the extracts and papers the Governor meant to call for, he took no notice of Mr. Hastings's letter to the Court of Directors of the 20th of March, and insisted, that was too material a paper to escape the attention of the Court of Proprietors; for it contained a direct and absolute *charge* against the Court of Directors, a charge, which their honour and the duty they owed to the Company, called upon them to answer; for it was little short of a criminal accusation. Therefore, he pressed the Chairman to know, whether he, the whole Court of Directors, or any one of them, had prepared any answer to that letter, or could say any thing in justification of their conduct, so directly criminated by the Governor General's letter. This, but not till repeatedly pressed, drew from the Chairman, Sir Henry Fletcher, an account of what he had prepared as an answer, and conceived to be a compleat justification of the Directors, in opposition to the Governor General's charge. This very material information, threw such light upon the question, that Mr. Moore insisted, nothing but the most determined resolution of the Court, blindly to vote for the motion of thanks, without information, could induce the honourable mover (after hearing this justification of the Chairman read) to hope for

success in carrying it. The enormous bribe of two hundred thousand pounds per annum, given to Scindia, the guarantee of the treaty, for his services in bringing it to a conclusion, was enough to damn the peace and the peace-maker : This two hundred thousand pounds per annum, the only advantageous article of the treaty, ought to have come into the Company's coffers, not into Scindia's. This, and this only, was sufficient, without the unknown secret article, or any other circumstance, to evince the necessity of postponing the vote of thanks, till the Court was ripe, from a consideration of the whole of Mr. Hastings's conduct, and various circumstances attending the negotiations for the Maratta peace, to judge of the question before them. He charged Governor Johnstone, who had mentioned Lord Rodney's case, with judging from *events*, and not *circumstances*, insisting that Lord Rodney's dismissal from the public service, at the moment it was determined, might be wise and perfectly well judged ; and that his Lordship's fortunate conquest afterwards, was *an event*, which ought not to weigh a feather, in opposition to such a determination. That in like manner the various censures, voted by parliament, the Directors, and Proprietors, upon Mr. Hastings, were warranted, just, and proper, at the moment ; and that the *event* of the Maratta peace, however fortunate it had been, (though he contended it was a disgrace both to the Company and the nation) could not *now* wipe away, nor bury in oblivion, the crimes for which he had been formerly censured ;

and

and he insisted, the premises from which the Governor attempted to draw his conclusions, was an absurd mode of reasoning, condemned by every day's experience. It was true we had a peace with the Marattas, but it was replete with disgrace, and instead of obtaining the object which induced the managers of it to break the peace settled by Colonel Upton, they had been obliged to relinquish the advantages of that treaty. Never were the British arms and name so degraded, so tarnished, as by the breach of Upton's treaty and the terms of the present; to say nothing of a loss of four millions of money, in the prosecution of it, which had drained their eastern treasuries of every rupee.

He said, the honourable Governor had laid great stress on the ninth article of the treaty respecting Hyder Ally; and the thirteenth article respecting their intercourse with the European nations, as advantages compensating every relinquishment on the part of the Company. This language, he said, was very well calculated to impose on the uninformed Proprietors; but gentlemen who had been in India knew it to be a fact, that the Marattas and Hyder were natural enemies. — (the Governor and others affected to laugh at this) He added, it is only a want of acquaintance with the history and interest of the various Asiatic powers, that occasions this laugh: every gentleman around me, who has been in the east, cannot be ignorant, there is an infinitely greater natural antipathy between the Marattas

and Hyder, than between the English and French, and it was the enormities of Mr. Hastings, that drove them into an alliance against us, for their mutual defence and safety. They were at war against each other, and joined their arms to seek revenge against us. Nay, to such an height were their hostilities carried, that Hyder even went so far as to call on us to join him against the Marattas, in virtue of our treaty of 1769. The madness of government refused; and, in so doing, broke that treaty, *by not going to war with the Marattas*; and in Bengal, your government, or rather governor, broke a second treaty, Colonel Upton's, made under the direction of those able and virtuous men, Sir J. Clavering, Monson, and Francis, *by going to war with them*. From these inconsistencies and infirmities in your Councils, and from their disregard to national honour and faith, these two Indian powers, Hyder and the Marattas, which no cement could ever unite before, were driven to a junction for their mutual protection, as well as to punish our perfidy; no other conjuncture, no other combination of causes could possibly have effected so unnatural an union. Hence there can be no great merit, as the honourable mover of this question would have us believe, due to Mr. Hastings for this article: so contrary to it, that people in Bengal are astonished the Marattas did not condition with your Governor General for Hyder's extirpation; and such appears to be the latent intent of the ninth article of the Maratta treaty.

With

With regard to the thirteenth article, respecting intercourse between the Marattas and European powers: This article, also, is not less their own inclination and interest than ours; and most likely was a proposition of their own, meaning thereby to plead the sanctity of treaty for obviating the importunity of European powers without giving offence. The Marattas abhor the idea of intermixing with European nations, as much as christians do living amongst infidels. Their religious tenets, manners, and customs, forbid; and their national interests will ever oppose it. The Chevalier St. Lubin, who was intriguing at the court of Poonah, on the part of the French, for four or five years, never once received the faintest shade of encouragement; although his being there was matter of great suspicion to your government in Bengal, and one reason amongst other very inadmissible ones, for the origin of the late Maratta war.

Great errors in oriental management, arise from a want of uniformity in system. By the causes of the present war with Hyder and the Marattas, it appears we have had as many systems as governments; and that each government has had a system of its own; in so much, that while the government of Madras broke a treaty *by not going to war with the Marattas*; the government of Bengal broke a treaty *by going to war with them*. It will be worth observing, how this treaty with the Marattas is worded, and particularly the preamble or title. It never once mentions the name of Mr. Hastings, and *emphatically*

confines the appointment of the *Governor General and Council, to the King and Parliament of Great Britain*, making them the representatives of the nation at large, and the tutelary guardian of the East India Company's right only, without other responsibility towards them. This is virtually denying them any controuling jurisdiction; the whole treaty breaths nothing but contrition and submission, and more properly to be stiled *entreaty*. The reason of this extraordinary departure from the real constitution of the Company's government is, that *Sindia*, the guarantee, and surety for our future good behaviour, was so enraged at Mr. Hastings's perfidy and intrigue, that he would not bear to hear his name mentioned: this fact is well known in India. No doubt this peace with the Marattas, disgraceful as it is, in point of submissive relinquishment of right and acquisition, has its advantages; of securing Bengal from their inroads, and a general combination of all oriental powers, and retrenchment of great expences, the continuance of which, threatened to drain the Asiatic settlements of the last particle of specie. But these are not the meritorious gifts of the peace-maker,—yet, to my surprise and astonishment, though the gentleman who supports this motion, admits Mr. Hastings to be the author of the Maratta war; great merit and applause is attributed to him, as the basis whereon they build this motion of thanks and public favour. If such, then, are the advantages, the merits, the desirable blessings of peace, why go unprovoked to war? Why plunge
and

and drown all those inestimable blessings in wild, headstrong schemes of visionary conquest? Why violate the rights of nations, sacrifice every principle of humanity, and trample on the natural rights of mankind? And why infract the peace of Poorunder, settled by Colonel Upton in 1776, the terms of which were *honourable and advantageous to the Company*, and met the highest and most distinguished approbation of the nation? Was it, because that treaty was effected by the well-timed interposition of the virtuous administration of Sir John Clavering, Monson, and Francis? I think the last as probable a reason as any. If Mr. Hastings's advocates would ingenuously acknowledge his errors, in commencing this war, he would then be entitled to every commendation due to the merit of his reform; but in no other point of view can they assume to claim it. Indeed the honourable Governor acknowledges Mr. Hastings was not free from errors; but says, Mr. Hastings's merits in making this peace, ought to be a veil and cover for them, and desires they may be forgot. I have minutes in my hand, by which I see I have met him in this court ten years ago. I shall be happy to meet him here ten years hence: these minutes remind me of what the honourable Governor wishes me and this court to forget; namely, that on the 6th December, 1775, Mr. Hastings was censured by this court, for being the author of an unjust and unprovoked war against the Rohillas, — a people ever considered as a barrier between us and the Marattas.

That on the 2d April 1776, Mr. Hastings was
was

censured for suffering his banyan to hold farms, contrary to the regulations of the Committee of Revenue in Bengal, — for suffering Cantoo Baboo to withdraw his security, &c. by which the Company incurred a loss of 500,000l.

That on the 8th May, 1776, Mr. Hastings and Mr. Barwell's conduct was such, it was resolved by the directors, to remove them from their respective offices.

That when this question was agitated in the General Court of Proprietors, the misfortune was, that Mr. Hastings and Mr. Barwell being both included in *one* question, it proved the salvation of Mr. Barwell, who, upon his own confession, was universally condemned; and, had the question been put separately, Mr. Barwell would certainly have been removed, and his removal would again have put the Government into the hands of Sir John Clavering and Mr. Francis, under whose conduct the Company's affairs flourished, and arrived at that height of prosperity and glory, from which, since Colonel Monson's demise, they have ever been falling, under Mr. Hastings's government.

My minute, likewise reminds me, that on Nov. 19, 1776, we were assembled to consider of a letter from Mr. Hastings, wherein he had authorised, empowered and directed Mr. Maclean to signify his resignation. This resignation was unanimously approved by the Court of Directors; and Mr. Maclean said he would suffer crucifixion if Mr. Hastings did not resign. Can this Court forget Mr. Hastings's conduct on that occasion? On that very day, I ventured

tured to assert, speaking of Sir J. Clavering, Monson, and Francis, that they had been the favours of the country, and of the property of the Company and individuals — That they had improved the country ; increased your collections ; augmented your investments ; reduced your expences ; effected treaties (amongst which the Maratta was one) which supported one-third of your military establishment ; and still more, paid off all your bond debts, which threatened your ruin. — Nor can I forget, that the honourable Governor, who generally contrives to laugh at what falls from me, was happy in his laugh on that occasion — But, he must now suffer me to bring to his serious attention, what happened in 1780, when he was very active in the appointment of Lord Macartney to the government of Madras: an appointment that did him and every man who joined their efforts to his, in obtaining it, great honour ; for Lord Macartney's abilities, integrity, good management, and virtue, has endeared him to this Company, and his country, in a way never to be forgotten. Does the honourable Governor and this Court recollect, that in support of Lord Macartney's nomination to Madras, the Governor said, " Never will I again oppose the nomination of a Governor to any of our settlements who has not been brought up in your service, for that reason only ; for when I consider the abilities, the virtues, the unshaken integrity, and great services of Sir John Clavering, whose statue ought now to be before us in Gold, I must ever lament the opposition I gave to his measures." — The honourable Governor, in opening his motion this

day, has told you, "The thanks he wishes to vote for Mr. Hastings may be considered as an implied censure upon others; and has endeavoured to explain that away." I have formerly said it, in this Court, and shall ever insist, that the honourable Governor's eulogium upon General Clavering was, by fair implication, a *severe censure upon Mr. Hastings's* conduct, who in his letter to the Court of Directors, December 3, 1774, protests against all the acts of the majority of the Council, then composed of Clavering, Monson, and Francis. Let us compare our *present* situation with our former upon the death of Colonel Monson, when your present Governor General became all powerful.

The honourable mover of the question before us, gives great merit to Mr. Hastings for the pecuniary supplies he sent to Madras. How were those supplies raised? By stopping all issues from your Bengal treasury; accumulating all your collections in January, February, and March 1783; by every exertion, and draining every resource, Mr. Hastings was able to send ten lacks of Rupees with Sir Eyre Coote to Madras. Ten lacks was all that could be got in these three months; though it is a fact known in Bengal, that by a judicious management of your revenues there, the month of January only ought to have produced sixty lacks. — In March 1783, our situation in Bengal was nearly as follows — Not a Rupee in the treasury — The country in ruins — The revenues collected in March had fallen short near sixty lacks; and no prospect of any more for three or four months to come — Your investments
only

only provided for payment of a million of money and upwards, borrowed in Bengal, and drawn upon the Company, payable here—Your expences in Bengal daily increasing—Treaties made that disgrace you—Your military and civil establishments many months in arrear; the money that ought to have paid them, and purchased your investments, having been squandered away in the unprovoked, unjust, unnecessary Maratta war—Your armies ready to mutiny, for want of pay in March—The Company at home not in a capacity to accept the bills drawn for the investments; and besides, owing above one million to Government for customs they are not able to pay.

I intreat you to contrast this picture with the state of your affairs when they fell under Mr. Hastings's direction in 1776, and then say, whether Mr. Hastings deserves your thanks.—Though you may doubt these facts to-day, before this day twelve months you will, I fear, be convinced they are too true. If they are true, where can you look for, and how can you hope for that dividend which will be due in January next?—I wish to protect my property; and, if my fellow proprietors have any regard for theirs, they cannot any longer support the man who has brought this company to the brink of ruin. I observe the honourable Director on the right hand of the chair (Mr. Sullivan) says, the Chairman's answer to the Governor General's letter is no justification of the directors, and that it would be a dangerous letter to send to India.—And he reminds us of Mr. Hastings's services to the Company, in in-

2

creasing

creasing the salt farms sixty lacks,—but forgets Mr. Hastings suffered his banyan to hold some of these farms for his benefit.—I have not much confidence in what falls from that gentleman; for I well remember, that on the eve of our bankruptcy ten years ago, he stood up, in the very place where he now is, and assured us, all would do well, and nothing was wanting but a *little circulation*; though, in a short time after, the Company were insolvent.—A learned gentleman (Mr. Dallas) has just acknowledged, that Mr. Hastings's friendship induced him to give the honourable Director's son a valuable contract, for which he had been blamed.—No wonder, then, that the honourable Director is Mr. Hastings's panegyrist! The sin of ingratitude is a damnable sin! But, it cannot be imputed to the honourable Director.—I request the Court will remember, though they do not regard what has fallen from me this day; for, sure I am, it will be necessary to remind them of it hereafter, when it will be too late for them to correct the error they are so very impatient to commit. I will only add, that I lay my hand upon my heart, and assure the Court, the negative I shall give to this question, proceeds from the perfect conviction in my own mind, that there are not the least grounds, upon which Mr. Hastings is entitled to our thanks.

When Mr. Moore sat down, the question was again called; and, no other gentleman rising to speak, it was put by the Chairman, and carried—with only a single negative,—Mr. Edward Moore's.

